

GA  
G275  
.S1  
L2  
1952

GEORGIA. LAWS, STATUTES, ETC.

COMPILATION OF GEORGIA LAWS AND  
REGULATIONS PERTAINING TO UPLAND  
GAME, FRESH WATER FISHING AND  
COMMERCIAL SALT WATER FISHING

## THE LIBRARIES



**The University  
of Georgia**

Date Due

23 Jul 1954

AUG 20 1959

NOV 17 1959

DEC 1 1959

**Compilation of Georgia Laws and Regulations  
Pertaining to Upland Game, Fresh Water  
Fishing and Commercial Salt Water  
Fishing**



**JULY, 1952**

**STATE GAME AND FISH COMMISSION  
412 State Capitol  
Atlanta, Georgia**

**FULTON LOVELL  
Director**



3000  
200  
1922

Compilation of Georgia Laws and Regulations  
Pertaining to Upland Game, Fresh Water  
Fishing and Commercial Salt Water  
Fishing



JULY, 1952

STATE GAME AND FISH COMMISSION  
412 State Capitol  
Atlanta, Georgia

FULTON LOVELL  
Director

The laws and regulations as contained in this book are the present laws and regulations of this State as compiled by the State Law Department in collaboration with the State Game and Fish Commission.

It is to be noted that the State Game and Fish Commission has the power of extending, shortening or abolishing seasons, changing bag limitations, and prescribing manner and means of pursuing, taking or killing any species of game or fish.

Prior to hunting or fishing seasons it would be advisable to check on any new regulations which may have been adopted.

Respectfully,

FULTON LOVELL, Director,  
Game & Fish Commission

EUGENE COOK  
The Attorney General

JAMES HEAD  
Editor and Compiler





# CONTENTS

	Page
CHAPTER I Powers and Duties of Commission	1
A. Constitutional Provisions .....	1
B. Statutory Provisions .....	2
C. Federal Acts Assented to by Georgia.....	11
D. Provision for Interstate Agreements.....	13
CHAPTER II Licenses .....	23
A. General Provisions .....	23
B. Trappers Licenses .....	24
C. Scientific Permits .....	24
D. Sports Licenses—Residents .....	25
and Non-Residents .....	27
E. Commercial Licenses .....	28
CHAPTER III Posting Land and Registration ..	34
CHAPTER IV Hunting and Trapping .....	36
A. General Provisions .....	36
B. Game Birds.....	38
C. Non-Game Birds .....	44
D. Game Animals .....	44
E. Non-Game Animals .....	50
CHAPTER V Fishing .....	52
A. General Provisions .....	52
B. Shad .....	56
C. Terrapins .....	56
CHAPTER VI Seafood .....	58
A. Shrimp-Prawn-Crab .....	58
B. Oysters .....	64
CHAPTER VII Regulations .....	78
A. Powers and Duties.....	78
B. Hunting and Trapping .....	78
C. Fishing .....	82
D. Seafood .....	84





# CHAPTER I

## POWERS AND DUTIES

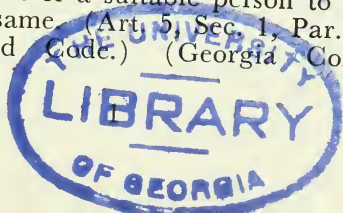
### A—CONSTITUTIONAL PROVISIONS:

Game and Fish Commission. There is hereby created a State Game and Fish Commission. Said Commission shall consist of one member from each Congressional District in this State, and one additional member from one of the following named counties, to-wit: Chatham, Bryan, Liberty, McIntosh, Glynn, or Camden. The first members of the Commission shall consist of those in office at the time this Constitution is adopted, with terms provided by law. Thereafter, all succeeding appointments shall be made by the Governor and confirmed by the Senate for a term of seven years from the expiration of the previous term. All members of the Commission shall hold office until their successors are appointed and qualified. Vacancies in office shall be filled by appointment of the Governor and submitted to the Senate for confirmation at the next session of the General Assembly after the making of the appointment.

### B—

The Commission shall have such powers, authority, duties, and shall receive such compensation and expenses as may be delegated or provided for by the General Assembly. Art. 5, Sec. 4, Par. 1. Sect. 3301 Annotated Code.)

2. Information from officers and employees; suspension of officers. The Governor may require information in writing from Constitutional officers, department heads, and all State employees, on any subject relating to the duties of their respective offices of employment. The General Assembly shall have authority to provide by law for the suspension of any Constitutional officer or department head from the discharge of the duties of his office, and also the appointment of a suitable person to discharge the duties of the same. (Art. 5, Sec. 1, Par. 17. Sect. 3017 Annotated Code.) (Georgia Constitution 45)



## B—STATUTORY PROVISIONS:

1. The State Game and Fish Commission was created by an Act approved February 8, 1943, (Ga. Laws 1943, p. 128) which was amended by an Act approved March 9, 1945, (Ga. Laws 1945, p. 404) and by subsequent acts.

2. The Division of Wildlife, the Department of Natural Resources, the office of Commissioner of Natural Resources, insofar as the same pertain to such Division, the office of Director of Wildlife, and the Inspector of Coastal Fisheries, as created and established by the Act of the General Assembly, approved March 5, 1937 (Georgia Laws 1937, pages 264-280), are hereby abolished. (Acts 1943, p. 128; Acts 1945, p. 404.)

3. There is hereby created and established a Commission to be known as the State Game and Fish Commission composed of one member from each congressional district in this State, and one additional member from one of the following named counties to-wit: Chatham, Bryan, Liberty, McIntosh, Glynn or Camden. The member from the 1st Congressional district and the member from the Eighth Congressional district shall not be from any of the six counties named herein. The members of such Commission shall be appointed by the Governor and confirmed by the Senate, and shall hold office until their successors are appointed and qualified. The Governor shall not be a member of such Commission (Acts 1943, p. 128; Acts 1945, p. 404.)

4. The first members of the State Game and Fish Commission appointed hereunder shall hold office as follows: two for three years; two for four years; two for five years; two for six years; and three for seven years. All of said terms shall date from January 1, 1943. The Governor in making said appointments shall designate the holders of the respective terms. Successors to persons so appointed shall hold terms of office of seven years from the expiration of the previous term. (Acts 1943, p. 128; Acts 1945, p. 404.)

5. Any vacancy shall be filled by appointment of the Governor for the unexpired term, subject to confirmation by the Senate, and any appointment, whether for a full term or to fill a vacancy, made when the Senate is not in session, shall be effective until the same is acted upon by the Senate. (Acts 1943, p. 128; Acts 1945, p. 404.)

6. The control, management, restoration, conservation and regulation of the birds, game, wildlife, fur bearing animals, fresh water fish, salt water fish, shell fish and crustaceans, and the acquisition, establishment, control and management of hatcheries, sanctuaries, refuges, reservations and all other property now or hereafter owned or used for such purposes by the State of Georgia shall be vested in the State Game and Fish Commission. (Acts 1943, p. 128; Acts 1945, p. 404.)

7. Immediately after appointment, taking the oath of office and qualification, the members of the Commission shall meet at any convenient and designated place within the State of Georgia and elect a chairman and thereafter the Commission shall elect a chairman annually. The members of the Commission, including the chairman, shall each receive \$7.00 for each day of actual attendance of meetings of the Commission at such designated places, and actual cost of transportation to and from the place of meeting and their respective homes by the nearest practicable route not to exceed 5¢ per mile. Such per diem and travel expenses shall be paid from funds of the Commission. The Commission shall meet at such times and at such designated places in this State as it may determine and it may convene in called session upon call by the chairman or by a majority of the members of the Commission. (Acts 1950, p. 35.)

8. The State Game and Fish Commission at its first meeting shall appoint a Director, who shall be the executive secretary and administrative officer of the Commission, and have such other powers and duties as may be prescribed by the Commission and by this Act, for all of which duties combined he shall receive a salary to be fixed by the Commission from time to time which in no event shall exceed \$5,000.00 per annum, payable monthly, and traveling expenses

necessary in the performance of his duties. The Director shall devote his full time to the duties of his office, and shall have such powers and shall perform such duties as may be assigned to and required of him by the Commission. He shall take oath of office and give bond in the sum of \$10,000.00 in the usual form required of State officials. Such director shall have offices at the State Capitol, which shall also be the office of the Commission. The Director shall hold office at the pleasure of the Commission. No member of the Commission during his tenure of office or within two years thereafter shall be eligible for appointment as Director or for any employment under the Commission or the Director. (Acts 1943, p. 128; Acts 1945, p. 404.)

9. The Commission shall appoint a Supervisor of Coastal Fisheries, who shall receive a salary to be fixed by the Commission from time to time, and who shall serve at the pleasure of the Commission. He shall devote his full time to his official duties, and shall take oath and give bond in the sum of \$10,000.00 in the usual form required of State Officials. The Supervisor of Coastal Fisheries shall perform such services in connection with the development and protection of fish, shell fish and crustaceans, in the tide-waters of Georgia, and such other duties as may be assigned to him by the Commission and Director. (Acts 1943, p. 128; Acts 1945, p. 404.)

10. The Commission shall appoint and fix the salaries of such other assistants, protectors, and employees, including a uniformed division to be known as Wildlife Rangers, of such number as may be necessary to carry out the duties assigned to them by the Commission and Director, within funds available to and appropriated therefor, all of whom shall serve at the pleasure of the Commission. The Commission shall not appoint any persons as assistants, protectors, employees, including wildlife rangers, related by blood or marriage in a degree closer than third cousins to the director or members of the Commission. (Acts 1943, p. 128; Acts 1945, p. 404.)

11. All funds resulting from the operation of the Commission and from the administration of the law

and regulations pertaining to birds, game, fur bearing animals, wildlife, fish, shell fish, crustaceans and coastal fisheries, together with all money collected or derived from licenses or special taxes pertaining hereto and any other funds specifically provided for such purposes, shall constitute the State Game and Fish Commission fund and shall be used by the Commission for its operations and as it may deem proper in carrying out the provisions of this Act and for no other purpose. Such funds, fees and special taxes are hereby specifically allocated and appropriated to the State Game and Fish Commission, provided such specific allocations and appropriations may, for any period covered by a lump sum appropriation in a General Appropriations Act for the State Game and Fish Commission in lieu of specific allocations and appropriations, be superseded by such lump sum appropriation only when the same shall at least equal the total sum of such funds, fees and special taxes for the immediately preceding similar calendar period and shall provide for adjustment and payment to the Commission out of the emergency fund, immediately after the same can be ascertained, during the General Appropriations Act period or State fiscal year, whichever may be the shorter period, for any difference between such funds, fees, licenses and special taxes which are actually collected and the lump sum appropriated.

(Section 11 is no longer in effect. The funds of the Game and Fish Commission are provided by appropriations as required under Art. 7, Sec. 2, Par. 1, and Art. 7, Sec. 9, Par. 4, Georgia Constitution 1945.)

12. The Commission shall have power to fix bag limits and to fix open and closed seasons, on a State-wide, regional or local basis, as they may find to be appropriate, and to regulate the manner and method of taking, transporting, storing, and using birds, game, fur-bearing animals, fish, shellfish, crustaceans, reptiles and amphibians, by rules and regulations: provided that the Commission shall post at the courthouse door of the county or counties that will be affected a complete copy of such rule or regulation certified by the chairman of the Commission and also file an additional certified copy thereof in the office



of the ordinary of the county or counties affected at least 30 days before the effective date of such rule or regulation. When rules and regulations are passed under the authority of the State Game and Fish Commission they shall be admitted in evidence in any court in this State upon certificate under seal of the Clerk of the Court of Ordinary in the County where the said court is sitting, that such is a copy of the rules and regulations of the State Game and Fish Commission, certified by the Director of the Commission on file in the Court of Ordinary in said County. Said certificate shall show the date of filing of said rules and regulations in the Court of Ordinary and the date of posting said rules and regulations at the courthouse door of said county and said certificate shall be proof of such facts. (Acts 1952, 206.)

13. The Commission shall have power to adopt all rules, regulations and methods of administration necessary for the efficient operation of the Commission as herein created and established. (Acts 1943, 128; Acts 1945, p. 404.)

14. The State Game and Fish Commission, with the Director, provided for by this Act, shall have the powers and duties vested in the Division of Wildlife, the Department of Natural Resources, the Commissioner of Natural Resources, the Director of Wildlife, and the Inspector of Coastal Fisheries, insofar as they pertain to such Divisions of Wildlife which are not inconsistent with this Act. (Acts 1943, 128; Acts 1945, p. 404.)

15. Nothing contained in this Act shall be construed as repealing any laws relating to birds, game, wildlife, fur bearing animals, fresh water fish, salt water fish, shell fish or crustaceans, for the regulation, protection, conservation, license or taxation thereof or penalties for violations thereof, which are not inconsistent with this Act; and none of such laws which the Commission may have power by this Act to change, modify or superseded unless and until such change is effected by rule or regulation which is adopted, promulgated and posted as provided by this Act. (Acts 1943, p. 128; Acts 1945, 404.)

16. Nothing herein contained shall authorize said Commission to collect a license tax, or fee from any person for hunting, or fishing on his own lands. (Acts 1943, p. 128; Acts 1945, p. 404.)

17. Nothing herein contained shall grant, or give to said Commission power and authority over strictly private ponds. (Acts 1943, p. 128; Acts 1945, p. 404.)

18. All appropriations heretofore made to the Division of Wildlife and the Department of Natural Resources pertaining to such Division, and now unused, are hereby transferred to the State Game and Fish Commission. (Acts 1943, p. 128; Acts 1945, p. 404.)

19. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable. (Acts 1943, p. 128; Acts 1945, p. 404.)

20. Any person who shall violate any of the rules and regulations promulgated by the Commission under the authority herein granted shall be guilty of a misdemeanor, and punished as provided by the law of Georgia in cases of misdemeanors. (Acts 1943, p. 128; Acts 1945, p. 404.)

21. The State Game and Fish Commission is hereby authorized to purchase, as other state purchases are made through the purchasing Department of the State, all necessary uniforms to equip the Wildlife Rangers as a uniform division as provided for by Section 9 of this Act, and to pay for said uniforms from any funds made available to the State Game and Fish Commission for the operation of the Department. (Acts 1943, p. 128; Acts 1945, p. 404.)

22. That to facilitate and provide for more adequate patrol of the coastal waters of the State, and the commercial fisheries thereof, and to assist in a better enforcement of the laws and regulations passed for the protection of the resources of the State in such coastal areas, the State Game and Fish Commission is hereby authorized and empowered to pur-



chase, through the State Purchasing Department, and other purchases are made, an airplane to be used for covering and patrolling all of the coastal waters within the jurisdiction of the State. (Georgia Laws 1945 p. 190.)

**23. LICENSE POWER.** Hunting and Fishing Licenses in this State shall be issued and sold by the Director of Game and Fish Commission, his agent or agents under such terms, conditions, procedures, accountings, etc., as he may prescribe. Provide said licenses shall be sold in each county by some designated bonded agent who shall keep stubs of all licenses sold. All licenses shall be charged to such agent who shall account for same or cash from result of sales. Provided, the agent selling same shall not receive more than 25 cents for each license issued. (Acts 1943, p. 537 Amended by Acts 1949, p. 1156.)

**24. GAME AND FISH COMMISSION'S DUTY TO SEIZE GAME UNLAWFULLY KILLED, ETC. DISPOSITION OF SUCH GAME.** Service of Criminal Process. It shall be the duty of the Game and Fish Commission to seize or cause to be seized, game birds or other birds, animals, and fish caught or killed at any time in any manner, or which have been shipped, contrary to the provisions of this law. Such game or fish so seized shall be donated to some charitable institution in this State, except live birds, animals, or fish, which shall be liberated. He shall with the State game protectors and deputy State game protectors be authorized to serve all criminal processes for violations of this law which could be served by the sheriffs and constables. (Acts 1911, pp. 137, 138; 1931, pp. 173, 174; 1935, p. 388. See 45-108, 1933 Code.)

**25. ACCOUNTS OF GAME AND FISH COMMISSION; AUDITING.** The Game and Fish Commission shall keep a public record, correctly disclosing all moneys received and expended by him and all such other information as may be necessary or proper in the conduct of the affairs and business of his office. The books and accounts of the Game and Fish Commission shall be audited in the same way as other books and accounts of the other departments of the

tate are audited. (Acts 1924, p. 104; 1931, pp. 7, 4. Sect. 45-112, 1933 Code.)

**26. RECORDS OF GAME AND FISH COMMISSION; PLACE OF KEEPING; PUBLIC INSPECTION.** The Game and Fish Commission shall keep a record of all his acts and doing in a minute book provided for such purpose, and shall keep his record in their office in the State Capitol, and they shall be open to public inspection like the other records of this State. (Acts 1924, p. 102; 1931, pp. 7, 4. Sec. 45-113, 1933 Code.)

**27. GAME AND FISH COMMISSION'S SEAL OF OFFICE.** The Game and Fish Commission shall have and keep a seal of office which shall be used to authenticate all papers and documents issued and executed by him as such office. (Acts 1924, p. 104; 1931, pp. 7, 14. Sec. 45-114, 1933 Code.)

**28. DUTIES OF GAME PROTECTORS; BONDS.** It shall be the duty of the State game protectors and deputy game protectors to enforce all the laws of this State in reference to game and fish, and to perform such other duties as may be required of them by the Game and Fish Commission except as to the sale of hunting and fishing licenses and other licenses sold by the Game and Fish Department. All such State game protectors shall give bond in the sum of \$1,000 in some solvent surety company, payable to the Game and Fish Commission and conditioned upon the faithful performance of their duties, the premiums on such bonds to be paid by said game protectors. (Acts 1912, p. 113; 1931, pp. 173, 174; 1935, p. 388, Sec. 45-126, 1933 Code.)

**29. DISPOSITION OF FINES.** Reports by clerk of court and fee therefor. No State game protector or deputy game protector or other employee of the Game and Fish Department shall receive any portion of any money arising from any fines imposed by any court for violation of the game and fish laws. The proceeds from all fines and forfeitures arising from the violation of any game or fish law shall be divided equally between the proper officers of the trial court and the Department of Game and Fish. Half of all money arising from such fines shall be remitted, by

the clerk of the court in which said case is disposed of, to the Game and Fish Commission for credit to the game and fish protection fund. The other half shall be paid by said clerk to the proper officers of the trial court. The clerk of the court in which each case is disposed of shall promptly disburse such fines or fines as herein set out, and shall make a written report to the Game and Fish Commission, showing the disposition of each case; and for making each report he shall be entitled to an additional fee of \$1 in each case, to be added to the cost allowed by law against the defendant, to be retained by said clerk as his special compensation for making such report. (Acts 1931, pp. 173, 174; 1935, pp. 388, 389, Sect. 45-127, 1933 Code.)

**30. PENALTY FOR VIOLATING HUNTING, FISHING, OR FUR-BEARING ANIMAL LAWS.** Any person, firm, or corporation violating the provisions of sections 45-124 to 45-127 or any of the hunting, fishing, or fur-bearing animal laws of this State shall be guilty of a misdemeanor. (Acts 1931, pp. 173, 177, Sect. 45-128, 1933 Code.)

**31. AUTHORITY TO PROVIDE FREE PASSAGEWAYS FOR FISH OVER DAMS, ETC.** The Game and Fish Commission is authorized to provide for the free passage of fish in the fresh-water streams of Georgia for the purpose of spawning and propagating, and to erect or cause to be erected fish-ladders or other passageways whereby fish may pass over any dam or other obstruction placed in the fresh-water streams of Georgia, by any firm, person or corporation. (Acts 1935, p. 380, Sect. 45-132, Annotated Code.)

**32. NOTICE TO OWNER OF DAM, ETC., TO PROVIDE FISH PASSAGEWAY.** It shall be the duty of the Game and Fish Commission to give written notice to any person, firm, or corporation, owning, leasing or constructing any dam or other obstruction whereby the free passage of fish is restricted in the fresh-water streams of this State to provide a suitable fishladder or passageway over any dam or other obstruction, and that such person, firm or corporation shall within 60 days after the receipt of

such notice provide at its own expense such fishladder or other suitable passageway for the purpose of allowing fish in such fresh water to freely pass over such dam or other obstruction. (Acts 1935, p. 80, Sect. 45-133, Annotated Code.)

**33. GAME AND FISH COMMISSION MAY BUILD FISH PASSAGEWAY.** Should any person, firm or corporation owning, leasing or constructing any dam or other obstruction in the fresh-water streams of this State, fail and refuse to provide such fishladder or other passageway after receiving the notice in section 45-133 required, the Game and Fish Commission is hereby authorized to build or erect such fishladder or other passageway over such dam or obstruction, and the cost of the same shall be assessed by the Game and Fish Commission against the person, firm or corporation, owning, leasing or constructing such dam or obstruction. (Acts 1935, p. 80, Sect. 45-134, Annotated Code.)

**34. EXECUTION FOR COST OF FISH PASSAGEWAY.** The Game and Fish Commission is hereby authorized to issue an execution as at common law against such person, firm or corporation for the actual expense incurred in construction of such fishladder or other passageway, which shall be collected by levy and sale by the sheriffs or other lawful officers of this State from such person, firm or corporation, owning, leasing or constructing such dam or obstruction, as fines or executions are collected at law. (Acts 1935, p. 380, Sect. 45-135 Annotated Code.)

## **1. FEDERAL ACTS ASSENTED TO BY THE STATE OF GEORGIA:**

**1. FEDERAL GAME REGULATIONS ON UNITED STATES GOVERNMENT LANDS IN GEORGIA; CONSENT OF STATE.**—The content of the General Assembly is hereby given to the making by Congress of the United States, or under its authority, of all such rules and regulations as the Federal Government shall determine to be needful in respect to game animals, game and non-game birds, and fish on such lands in the northern part of Georgia as shall have been, or may here-

after be, purchased by the United States under terms of the Act of Congress of March 1, 1911, titled, "An Act to enable any State to cooperate with any other State or States or with the United States for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers" (36 United States Statutes at Large, page 961), and Acts of Congress supplementary thereto and amendatory thereof, in or on the waters thereof. (Acts 1922, p. 100 (Sec. 45-336, Georgia Code 1933.)

2. The State of Georgia hereby assents to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes," approved September 2, 1937 (Public Number 415, 75th Congress, Title 16, Chapter 5 B United States Code, Annotated). The State Game and Fish Commission is hereby authorized, empowered, and directed to perform such acts as may be necessary for the establishment and conduct of cooperative wildlife restoration projects as defined in the said Act of Congress, in compliance therewith and rules and regulations promulgated by the Federal agency authorized thereunder. The State Game and Fish Commission shall have authority to do all things necessary in cooperation with all agencies of the United States Government in connection with propagation, restoration and protection of wildlife, fish, shell fish and crustaceans in this State. (Acts 1943, p. 132.)

3. The State of Georgia hereby assents to the provisions of the Act of Congress entitled an Act to provide that the United States shall aid the States in fish restoration and management projects, approved August 9, 1950, (Public Laws 681, 81st Congress) and the Fish and Game Commission is hereby authorized, empowered, and directed to perform such acts as may be necessary to the conduct and establishment of cooperative fish restoration projects, as defined in said Act of Congress, in compliance with said Act and rules and regulations promulgated by the Secretary of the Interior thereunder; and funds accruing to the State of Georgia from license fees paid by fishermen shall be diverted for any other



purpose than the administration of the Division of Fish and Game and for the protection, propagation, preservation, and investigation of fish and game. (Acts 1951, p. 673.)

4. The Game and Fish Commission shall have the right and authority to enter into a cooperative agreement with the United States Government, or with the proper authorities thereof, for the protection and management of the wildlife resources of the National forest lands within the State of Georgia and for the restocking of the same with desirable species of game, birds, and other animals, and fish. (Acts 1935, p. 376.)

4B. The Game and Fish Commission shall have authority to close all hunting and fishing within said lands so contracted for with the Federal Government for such period of time as may, in the opinion of the Game and Fish Commission, be necessary; shall have authority from time to time to prescribe the season for hunting or fishing therein, to prescribe the number of animals and game, fish and birds that shall be taken therefrom and the size thereof, and to prescribe the conditions under which the same may be taken. (Acts 1935, p. 376.)

4C. Any person violating any of the rules so promulgated by the Game and Fish Commission, or who shall hunt or fish upon said lands at any time, other than those times specified by the Game and Fish Commission, shall upon conviction therefor, be punished as for a misdemeanor. (Acts 1935, p. 376.)

## —INTERSTATE AGREEMENTS.

1. Lake Chatuge—Fishing Licenses.  
The Director of the State Game and Fish Commission is hereby authorized and empowered, to make and enter into agreements, from time to time, with the proper authorities of the State of North Carolina, whereby a current fishing license issued by the State of Georgia will be accepted and honored and in lieu of, a North Carolina fishing license for fishing on the banks and in the waters of Lake Chatuge, lying and being within the State of North Carolina, and a current fishing license issued by the State of North Carolina will be accepted and honored.

ed as, and in lieu of, a Georgia fishing license for fishing on the banks and in the waters of Lake Chatuge, lying and being within the State of Georgia by each State respectively. (Acts 1950, p. 281.)

2. The Director of the State Game and Fish Commission is hereby authorized and empowered to make and enter into agreements, from time to time, with the proper authorities of the States of Alabama, Florida, North Carolina, South Carolina, and Tennessee whereby a valid fishing license issued by the State of Georgia will be accepted and honored, as and in lieu of a fishing license for the respective states agreeing, for fishing on the banks and in the waters of lakes, rivers and streams lying between the State of Georgia and such adjoining state or partly within the boundaries of both the State of Georgia and the adjoining state, and valid licenses issued by the respective states so agreeing shall be accepted and honored, as and in lieu of a Georgia fishing license, for fishing upon said lakes, rivers and streams. (Acts 1952, p. 389.)

2B. The Director of the Game and Fish Commission of Georgia is hereby authorized and empowered to make and enter into agreements, from time to time, with the proper authorities of the states Alabama, Florida, South Carolina, North Carolina and Tennessee whereby a citizen of the State of Georgia who owns farm lands in the said adjoining states may purchase a resident hunting license in the State in which his land is situated which will permit said Georgia citizen to hunt on his own land in the adjoining State without purchasing an out-of-state hunting license. The Georgia Game and Fish Commissioner is hereby authorized and empowered to reciprocate this courtesy and issue a resident hunting license in Georgia to citizens of said adjoining states who own farm lands in Georgia permitting such citizens to hunt on their own land in Georgia without purchasing an out-of-state hunting license. (Acts 1952, p. 389.)

2C. The purpose of this Act is to authorize the Director of the Game and Fish Commission to enter into such agreements with all States bordering the State of Georgia, but it is not intended that



enefits of such agreements should extend to licenses of all bordering states on all lakes, rivers and streams lying upon the borders of Georgia, but are to apply separately to those lakes, rivers and streams lying between the State of Georgia and each respective state so agreeing. (Acts 1952, p. 389.)

3. Atlantic States Marine Fisheries Compact. The Governor of this State is hereby authorized and directed to execute a compact on behalf of the State of Georgia with any one or more of the states of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Florida, and with such other states as may enter into the compact, legally joining therein the term substantially as follows: (Acts 1943, p. 117.)

## ATLANTIC STATES MARINE FISHERIES COMPACT

The contracting states solemnly agree:

### Article I.

The purpose of this compact is to promote the better utilization of the fisheries, marine, shell and adromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of the physical waste of the fisheries from any cause. It is not the purpose of this compact to authorize the states joining herein to limit the production of fish or fish products for the purpose of establishing or fixing the price thereof, or creating and perpetuating monopoly.

### Article II.

This agreement shall become operative immediately as to those states executing it whenever any one or more of the states of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida have executed it in the form that is in accordance with the laws of the executing state and the Congress has given its consent. Any state contiguous

with any of the aforementioned states and riparian upon waters frequented by anadromous fish, flowing into waters under the jurisdiction of any of the aforementioned states, may become a party hereto hereinafter provided.

### Article III.

Each State joining herein shall appoint three representatives to a Commission hereby constituted and designated as the Atlantic States Marine Fisheries Commission. One shall be the executive officer of the administrative agency of such state charged with the conservation of the fisheries resources to which this compact pertains or, if there be more than one officer or agency, the official of that state named by the governor thereof. The second shall be a member of the legislature of such state designated by the Commission or Committee on Interstate Cooperation of such State, or if there be none, or if said Commission on Interstate Cooperation cannot constitutionally designate the said member, such legislature shall be designated by the Governor thereof; provided, that if it is constitutionally impossible to appoint a legislator as a commissioner from such state, the second member shall be appointed by the governor of said state in his discretion. The third shall be a citizen who shall have a knowledge of and interest in the marine fisheries problem to be appointed by the governor. This Commission shall be a body co-ordinate with the powers and duties set forth hereinafter.

### Article IV.

The duty of the said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, and anadromous, of the Atlantic seaboard. The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their respective jurisdictions to promote the preservation of those fisheries and their protection against overfishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the aforementioned states.

To that end the Commission shall draft and, after consultation with the Advisory Committee hereinafter authorized, recommend to the governors and legislatures of the various signatory states legislation dealing with the conservation of the marine, shell and anadromous fisheries of the Atlantic seaboard. The Commission shall, more than one month prior to any regular meeting of the legislature in any signatory state, present to the governor of the state its recommendations relating to enactments to be made by the legislature of this compact.

The Commission shall consult with and advise the pertinent administrative agencies in the states party hereto with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable.

The Commission shall have power to recommend to the States party hereto the stocking of the waters of such states with fish and fish eggs or joint stocking by some or all of the states party hereto and when two or more of the states shall jointly stock waters the Commission shall act as the coordinating agency for such stocking.

#### Article V.

The Commission shall elect from its number a Chairman and a Vice Chairman and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said Commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

#### Article VI.

No action shall be taken by the Commission in regard to its general affairs except by the affirmative vote of a majority of the whole number of compacting states present at any meeting. No recommendation shall be made by the Commission in regard to any species of fish except by the affirmative vote of a majority of the compacting states which

have an interest in such species. The Commission shall define what shall be an interest.

### Article VII.

The Fish and Wildlife Service of the Department of the Interior of the Government of the United States shall act as the primary research agency of the Atlantic States Marine Fisheries Commission cooperating with the research agencies in each state for that purpose. Representatives of the said Fish and Wildlife Service shall attend the meetings of the Commission.

An advisory committee to be representative of the commercial fisherman and the salt water anglers and such other interests of each state as the commission deems advisable shall be established by the Commission as soon as practicable for the purpose of advising the Commission upon such recommendations as it may desire to make.

### Article VIII.

When any state other than those named specifically in Article II of this compact become a party thereto for the purpose of conserving its anadromous fish in accordance with the provisions of Article I the participation of such state in the action of the Commission shall be limited to such species of anadromous fish.

### Article IX.

Nothing in this compact shall be construed to limit the powers of any signatory state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any signatory state imposing additional conditions and restrictions to conserve its fisheries.

### Article X.

Continued absence of representation or of any representative on the Commission from any state party hereto shall be brought to the attention of the Governor thereof.

### Article XI.

The states party hereto agree to make annual appropriations to the support of the Commission

proportion to the primary market value of the products of their fisheries, exclusive of cod and haddock, as recorded in the most recent published reports of the Fish and Wildlife Service of the United States Department of the Interior, provided no state shall contribute less than two hundred dollars per annum and the annual contribution of each state above the minimum shall be figured to the nearest one hundred dollars.

The compacting states agree to appropriate initial, the annual amounts scheduled below, which amounts are calculated in the manner set forth here, on the basis of the catch record of 1938. Subsequent budgets shall be recommended by a majority of the Commission and the cost thereof allocated equitably among the states in accordance with their respective interests and submitted to the compacting states.

### SCHEDULE OF INITIAL ANNUAL STATE CONTRIBUTIONS

Maine .....	\$ 700
New Hampshire .....	200
Massachusetts .....	2,300
Rhode Island .....	300
Connecticut .....	400
New York .....	1,300
New Jersey .....	800
Delaware .....	200
Maryland .....	700
Virginia .....	1,300
North Carolina .....	600
South Carolina .....	200
Georgia .....	200
Florida .....	1,500

### Article XII.

This compact shall continue in force and remain binding upon each compacting state until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other parties party hereto.

Section 2. In pursuance of Article III of said com-



compact there shall be three members (hereinafter called commissioners) of the Atlantic States Marine Fisheries Commission (hereinafter called commission) from the State of Georgia. The first commissioner from the State of Georgia shall be the Director of the Department of Game and Fish of the State of Georgia ex-officio, and the term of any such ex-officio commissioner shall terminate at the time he ceases to hold said office of Director of the Department of Game and Fish and his successor as commissioner shall be his successor as Director of the Department of Game and Fish. The second commissioner from the State of Georgia shall be a legislator and member of the commission on interstate cooperation of the State of Georgia ex-officio, designated by said commission on interstate cooperation, and the term of any such ex-officio commissioner shall terminate at the time he ceases to hold said legislative office. The third commissioner shall be named in like manner. The governor (by and with the advice and consent of the senate) shall appoint a citizen as third commissioner who shall have a knowledge and interest in the marine fisheries problem. The term of said commissioner shall be three years and he shall hold office until his successor shall be appointed and qualified. Vacancies occurring in the office of such commissioner from any reason or cause shall be filled by appointment by the governor (by and with the advice and consent of the senate) for the unexpired term. The Director of the Department of Game and Fish as ex-officio commissioner may delegate, from time to time, to any deputy or other subordinate in his department or office, the power to be present and participate, including voting as his representative or substitute at any meeting or hearing by or other proceeding of the commission. The terms of each of the initial three members shall begin at the date of the appointment of the appointive commissioner, provided the said compact shall have then gone into effect in accordance with Article II of the compact; otherwise they shall begin upon the date upon which said compact shall become effective in accordance with said Article II. Any commissioner may be removed from office by the governor upon charges and after a hearing.

Section 3. There is hereby granted to the commission and the commissioners thereof all the powers provided for in the said compact and all the powers necessary or incidental to the carrying out of said compact in every particular. All officers of the State of Georgia are hereby authorized and directed to do all things falling within their respective provinces and jurisdiction necessary or incidental to the carrying out of said compact in every particular; it being hereby declared to be the policy of the State of Georgia to perform and carry out the said compact and to accomplish the purposes thereof. All officers, bureaus, departments and persons of and in the state government or administration of the State of Georgia are hereby authorized and directed at convenient times and upon request of the said commission to furnish the said commission with information and state possessed by them or any of them and to aid said commission by loan of personnel or other means lying within their legal rights respectively.

Section 4. Any powers herein granted to the commission shall be regarded as in aid of and supplemental to and in no case a limitation upon any of the powers vested in said commission by other laws of the State of Georgia or by the laws of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina and Florida or by the Congress or the terms of said compact.

Section 5. The commission shall keep accurate accounts of all receipts and disbursements and shall report to the governor and the legislature of the State of Georgia on or before the tenth day of December of each year, setting forth in detail the transactions conducted by it during the 12 months preceding December 1st of that year and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the State of Georgia which may be necessary to carry out the intent and purposes of the compact between the signatory states.

The comptroller of the State of Georgia is hereby authorized and empowered from time to time to examine the accounts and books of the commission,



including its receipts, disbursements and such other items referring to its financial standing as such controller may deem proper and to report the results of such examination to the governor of such state.

Section 6. The sum of two hundred dollars (\$200.00) per annum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the state treasury not otherwise appropriated, for the expenses of the commission created by the compact authorized by this Act.

Section 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable. (Ga. Laws 1943, p. 117.)

# CHAPTER II

## LICENSES

### --GENERAL PROVISIONS

1. "Hunting and fishing licenses in this State shall be issued and sold by the Director of the Game and Fish Commission, his agent or agents under such terms, conditions, procedures, accountings, etc., as he may prescribe. Provided said licenses shall be sold in each county by some designated bonded agent who shall keep stubs of all licenses sold. All licenses shall be charged to such agent who shall account for the same in cash or from result of sales. Provided, the agent selling same shall not receive more than 25 cents for each license issued." (Acts 1949, pp. 1156, 1157.)

2. **SIGNATURE TO AND CONTENTS OF HUNTING LICENSE.** The hunting license shall be countersigned by the Director of Game and Fish, countersigned by the authorized person selling the license, and numbered. It shall contain the residence, age, sex, and the post-office address of the person to whom issued, and shall state the race, approximate height and weight, and the colors of the hair and eyes of the applicant. (Acts 1911, pp. 137, 140, Sect. 45-202, 1933 Code.)

3. **PENALTY FOR FAILURE TO PROCURE AND CARRY HUNTING LICENSE.** Any person who shall fail to procure the license to hunt as required of him by law, and who shall fail to carry such license on his person while hunting, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$25 nor more than \$200 and costs of court, or sentenced to work on the public works for not less than 30 days nor more than 90 days or to imprisonment in the common jail for not less than 30 days nor more than 90 days, either or both of said punishments in the discretion of the court. (Acts 1925, p. 309; 1931, pp. 178, 180, Sect. 45-205, 1933 Code.)

4. **MONEYS FROM LICENSES, DISPOSITION**  
All moneys received from the sale of licenses as herein provided shall be received by the Game and

Fish Commission and promptly paid into the treasury as required by law, and kept in a special fund as authorized by law. (Acts 1931, pp. 173, Sect. 45-220, 1933 Code.)

## **B—TRAPPER'S LICENSE**

**1. FEE FOR TRAPPER'S LICENSE; AUTHORITY OF LICENSE.** A trapper's license shall be issued to a resident of the State upon the payment of a fee of \$3 and to a nonresident upon the payment of a fee of \$25. All trappers' licenses shall authorize the holders to engage in trapping anywhere in the State. (Acts 1925, p. 305, Sect. 45-207, 1933 Code.)

## **C—SCIENTIFIC PERMITS**

**1. LICENSES TO TAKE BIRDS OR WILD ANIMALS FOR PROPAGATION OR SCIENTIFIC PURPOSES; TRANSPORTATION OF BIRDS OR WILD ANIMALS.** The Game and Fish Commission in their discretion, issue licenses or permits to any person or persons to take any of the birds or wild animals of this State, or the plumage, skin, or body thereof, or the nests or eggs of the same for propagation or scientific purposes or for pets, under such regulations and restrictions as may be imposed by the commission. Such licenses or permits may be issued by the Game and Fish Commission upon payment of a fee of \$1, and the same may be revoked at the pleasure of the Commission at any time. Such permits or licenses, unless sooner revoked, shall be good for one year from the date of issuance: Provided, that any person may transport or ship from any point within this State to any other point within this State birds or wild animals, alive, for propagation or for scientific purposes, and the transportation companies may accept such shipments, and both the shipper and the transportation company accepting such shipment shall, on the same day that the shipment is made, report to the Game and Fish Commission the number and species of such birds or wild animals shipped, and to whom and by whom shipped. Any person violating this section shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be

sentenced to work on the public works for not less than 10 nor more than 90 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1916, pp. 114, 116, Sect. 45-304, 1933 Code.)

## **2. TRAPPING QUAIL FOR PROPAGATION. PERMITS; FEE. PUNISHMENT FOR TRAPPING WITHOUT PERMIT; DESTRUCTION OF TRAPS.**

—In order to encourage the propagation and increase of bobwhite quail, the Game and Fish Commission is authorized to issue permits authorizing the trapping of quail for propagation purposes only. All traps used for trapping quail under authority of special permits issued pursuant to this section shall have securely attached thereto a metal tag to be prescribed by the Game and Fish Commission, indicating that the trap used has been duly authorized. Permits shall be issued only upon the payment of 50 cents for each trap to be used. All persons operating or maintaining traps without obtaining the permit as herein provided shall be guilty of a misdemeanor and fined not less than \$25 nor more than \$200 and all costs of court, or shall be sentenced to work on the public works for not less than 10 days nor more than 90 days or to imprisonment in the common jail for not less than 30 days nor more than 90 days; either or all of said punishments in the discretion of the court. It shall be the duty of all game protectors and other representatives of the Department of Game and Fish to destroy all traps used in violation of this section. (Acts 1925, p. 309; 1931, p. 178, 180, 181; 1935, p. 388, Sect. 45-326, 1933 Code.)

## **—SPORT LICENSES**

### **RESIDENT**

#### **GAME AND FISH**

1. A license authorizing a resident of this State to hunt and fish throughout this State shall be issued upon the payment of a fee of \$1.25 annually. Provided, that, before any person shall be entitled to purchase a resident hunting and fishing license, he shall have been a bona fide resident of the State of Georgia for a period of six months prior to the date

such license is applied for; provided, further, nothing herein shall prevent a landowner or tenants and their families, with the landowner's consent, from hunting or fishing on his own lands, ponds or other waters, without a license. Such license shall be procured from the Director of the Game and Fish Commission. No resident of this State shall fish in any of the waters of this State, by means of any artificial bait commonly known as plugs, worms, minnows, live minnows, flies, dabblers, spinner baits or any other like bait or lure whether in the county of his residence or in any other county of the State, without first procuring from the Director of the Game and Fish Commission the license hereinabove referred to. No resident of this State shall fish in any waters by any means in any of said waters of this State other than that of the county of his residence without first procuring from the Director of Game and Fish Commission the license hereinabove referred to. Provided, however, that no person under the age of 16 years shall be required to buy the license created under this Act. Seiners and netters shall pay one dollar and twenty-five cents (\$1.25) annually for a license to fish with hook and line in Spring Creek from the Miller County line on the north to the point where said creek empties into Flint River on the south, as provided by Act approved February 25, 1949. (Acts 1949, p. 1361; 1951, p. 173.)

2. All legal residents of the State of Georgia who are 65 years of age or over, and who apply to the Director of Game and Fish for same, are entitled to receive honorary hunting and fishing licenses which shall entitle the holder thereof to hunt and fish without the payment of any fee or license whatsoever for the remainder of his life. (Acts 1949, p. 1194.)

2B. The Director of Game and Fish or his authorized agents are hereby required to issue such licenses to all persons who qualify as set forth in Section 1 hereof. (Acts 1949, p. 1194.)

2C. All honorary hunting and fishing licenses, with the exception of the payment of fees, are hereby made subject to all other provisions of the laws of this State. Such honorary licenses may be revoked upon



the conviction of the holder for any violation of the game and fish laws of this State. (Acts 1949, p. 1194.)

2D. It is hereby made a misdemeanor for any person who has an honorary fishing or hunting license to permit the use of same by another, and upon conviction, both the holder and the user shall be subject to misdemeanor punishment. (Acts 1949, p. 1194.)

## **NON-RESIDENT GAME - HUNTING**

3. No non-resident of this State shall hunt in any of the county or counties of this State until such person shall procure a license from the Director of Game and Fish and such person shall pay the sum of ten dollars and twenty-five cents for such license where such person desires only to hunt in one county which county shall be named on the face of the license issued. If non-resident desires to hunt in more than one of the counties of the State he shall first procure a license from the Director of Game and Fish for which he shall pay the sum of twenty dollars and twenty-five cents. (Sect. 45-226, 1933 Code; Acts 1949, p. 1116.)

4. A non-resident of this State shall be entitled to a temporary hunter's license for a period of 10 days, the same to be issued by the Director of Fish and Game according to laws and regulations prescribed by him for which a license fee of \$10.25 shall be paid. (Acts 1949, p. 1005.)

## **FISHING**

5. It shall be unlawful for any non-resident of this State to fish in any of the streams, lakes, ponds, or other waters of this State, whether fresh or salt, without first obtaining a license so to do from the Director of Game and Fish. (Acts 1935, p. 379; Sect. 45-221, Annotated Code.)

6. **NON-RESIDENT FISHING LICENSE FEE FOR YEAR FROM APRIL 1; DAILY PERMITS.** Each non-resident of this State who desires to exercise the privilege of fishing in any of the waters of this State shall obtain from the Director of Game and Fish Commission a license and pay therefor a

license fee in the same amount as the State in which such non-resident of Georgia resides charges for non-resident fishing license, and such license shall bear the date of April 1 of the year in which issued and shall expire on March 31 of the following year. Provided, that non-residents may purchase daily permits to fish within the waters of the State of Georgia open to fishing upon exhibiting a current fishing license issued by the State of his residence and upon the payment of the sum of one dollar (\$1.00) for each day for which a permit is desired. (Acts 1952, 259; Sect. 45-222, Annotated Code.)

6B. In the event the State in which a non-resident applicant resides has no provision for a fixed non-resident fishing license fee, then such applicant shall be charged the sum of \$5.25 for a non-resident fishing license. (Acts 1952, p. 259.)

6C. This Act is hereby declared to be enacted by the General Assembly of Georgia for the conservation of the natural resources of the State. (Acts 1935, p. 380.)

6D. Any person who shall violate any provision of this Act or any non-resident of this State who shall fish in any of the waters of this State without first obtaining a license as herein required, shall be guilty of a misdemeanor. (Acts 1935, p. 380; Sect. 45-225, Annotated Code.)

## **E.—COMMERCIAL LICENSES**

1. **FISH PEDDLER'S AND FISH SELLER'S LICENSES; FEES AND USE THEREOF.**—Each peddler of fresh-water fish, and each and every person, firm, or corporation who shall sell or offer for sale fresh-water fish, shall first procure a license in each county in which fresh-water fish are peddled, sold or offered for sale. Said license shall expire one year from date of issue, and shall be issued in the same manner and by the same official that hunting and fishing licenses are now sold, upon the payment of a fee of \$5, 50 cents of which shall be retained by the official selling same as his fee, and the remainder remitted to the Commissioner of Game and Fish for credit to the special fund to be

known as the game and fish protection fund. Not less than one-half shall be set aside and used only for establishing or operating fish hatcheries of the State, or otherwise procuring fish for restocking the fresh waters of this State; and the remainder shall be used only for the enforcement of the fishing laws of this State. No person or class of persons shall be exempted from the requirements of this section. A violation of this section shall be a misdemeanor. (Acts 1931, pp. 169, 172; 1933, p. 152, Sect. 45-503, 1933 Code.)

**2. TAKING SHAD FOR PURPOSES OF SALE WITHOUT LICENSE.**—No person shall take shad from the waters of this State for purposes of sale without first having procured from the Director of Game and Fish a license, as follows: Persons having a residence within this State and being citizens of the United States shall pay a fee of \$1 for such license; citizens of other States, residing outside of this State, shall pay a fee of \$10; and aliens, whether residents of this or another State, shall pay a fee of \$10. All licenses provided for in this section shall be effective for one year from the first day of the month during which they may be issued. Any person who shall take shad from the waters of this State for the purpose of sale, in violation of the provisions of this section, without having first procured the license herein required, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided in section 45-1. (Acts 1918, pp. 270-272, Sect. 45-603, 1933 Code.)

**3. LICENSES FOR COMMERCIAL FISHING BOATS, NECESSITY OF PROCURING.** No boat shall engage in commercial fishing in this State without being provided with a license; and no individual German shall be taken upon such boat unless such German shall be duly licensed. (Acts 1919, p. 237, Sect. 45-209, 1933 Code.)

**4. LICENSE FEES LEVIED ON COMMERCIAL BOATS; AMOUNTS; ALIENS AND NON-RESIDENTS.**—Amounts—Boats under 16 feet long and under four feet beam, one dollar and five cents; boats over sixteen feet long and over 4 feet

beam, 20 cents for each additional foot or fraction thereof of length and beam. An additional cense tax of \$25 shall be required of all aliens nonresidents of the State of Georgia on all boats, vessels, schooners or launches engaged in fishing having to do with fishing in this State, owned whole or in part by such aliens or nonresidents in addition to the boat license tax required in this section. Provided, that the license issued hereunder shall be dated January 1 of the year issued and shall expire on December 31 of the year issued. (Acts 1945, p. 192; Sect. 45-210, 1933 Code.)

## **5. LICENSES FOR SALT-WATER COMMERCIAL FISHING BOATS; APPLICATION; FEES.**

All boats engaged in taking fish, oysters, shrimp, other seafood for the purpose of sale from any of the waters of this State, shall, before beginning operation, secure from the Director of Game and Fish a license, and for this purpose the owner of the vessel shall present in writing an application setting forth the name and description of said vessel, the name and post-office address of the owner and the captain of said vessel, the number of the crew, and such other data or information as the said Director shall deem necessary. Said application shall be made on blank paper prescribed by the Director and shall be made under oath and duly witnessed by the officer authorized by law to administer oaths; thereupon said Director shall register said vessel and issue license upon payment of cost thereof. The schedule of license fees for boats shall be the same as provided in section 45-210 (Acts 1924, p. 116; 1931, pp. 7, 14, Sect. 45-210, 1933 Code.)

## **6. LICENSE TAGS ON COMMERCIAL FISHING BOATS OPERATING IN TIDEWATER GEORGIA; FEES.**

Every boat engaged in commercial fishing in tidewater Georgia, required by law to obtain a license, shall have securely fixed on each side of the bow thereof, and conspicuously displayed in order that it may be read from a reasonable distance, a metal license tag of such style and size as may be prescribed by the Director of Game and Fish. The licensee of said boat shall be required to pay in addition to the boat license such fee to cover

he cost of said tags as may be fixed by the Director: Provided, the price charged for said tags shall not exceed \$1 per boat. If any person shall operate a boat, or if the owner thereof shall permit same to be operated, contrary to the provisions of this section, either or both of said persons shall be guilty of a misdemeanor. (Acts 1925, pp. 339, 340; 1931, p. 7, Sect. 45-212, 1933 Code.)

**7. LICENSES OF PERSONS ENGAGED IN COMMERCIAL FISHING IN SALT WATERS; FEE; NONRESIDENTS.** Any person desiring to take or catch fish from the salt waters of this State, for commercial purposes, shall obtain from the Director of Game and Fish a license therefor, and said license shall have effect for a period of 12 months from the first day of the month following the date of issue; the fee for such individual license shall be \$2. No such license shall be issued to any person not a citizen of this State, and said license shall not issue until the applicant therefor shall state under oath on application provided therefor by the Director of Game and Fish, that he is a citizen of this State: Provided, that fish licenses may be issued to persons not citizens of this State, under the terms and conditions prescribed in section 45-216. (Acts 1924, p. 117; 1931, pp. 7, 14, Sect. 45-213, 1933 Code.)

**8. FALSE SWEARING TO PROCURE FISHING LICENSE.** Any person procuring a license for fishing under sections 45-211 or 45-213 by falsely swearing as to his citizenship shall be guilty of a felony and punished as provided in section 26-3901 by imprisonment and labor in the penitentiary for not less than four years nor more than ten years. (Acts 1924, p. 117, Sect. 45-214, 1933 Code.)

**9. RECORD BOOKS OF TIDEWATER GEORGIA FISHING BOATS; DUTY TO KEEP; CONTENTS. REPORTS.** Every boat engaged in commercial fishing in tidewater Georgia, shall be required to maintain and carry thereon at all times a record book to be prescribed by the Game and Fish Commission showing the amount of fish, oysters, crawfish and other seafood caught daily, to whom



sold, the date of sale and delivery, and such other information as may be required by the Commission. Such record shall be open at any and all times to the duly authorized officers and deputies of the Department of Game and Fish. The owner or licensee of, or any person operating, said boat shall be required to make such reports, monthly or otherwise as may be required by the Game and Fish Commission. Any person failing to keep the record herein required, or failing to produce same upon the demand of a duly authorized officer or deputy, or who shall in any manner fail to comply with the requirements of this section, shall be guilty of a misdemeanor. (Acts 1925, p. 340; 1931, pp. 7, 14, Sec 45-215, 1933 Code.)

**10. NONRESIDENTS PROHIBITED FROM CATCHING SHRIMP AND PRAWN. LICENSES FOR EMPLOYERS OF ALIEN FISHERMEN.** All persons not citizens of this State are hereby prohibited from engaging in the taking or catching of shrimp or prawn from the salt waters of this State for commercial purposes: Provided, that where the Game and Fish Commission shall be shown that bona fide Georgia concern owning and operating packing or canning plant, duly licensed by this State and having its own fleet of boats, cannot operate all or a part of such fleet by reason of inability to secure competent fishermen, the Director shall license such boats to be manned by alien fishermen upon the payment of \$10 per fisherman in addition to any license required of such boats: Provided, further, that the foregoing provisions of this section shall not apply to an alien who shall have had a fixed and continuous residence in this State for a period of three years prior to January 1, 1925, and who shall have filed his first citizenship papers signifying his intention of becoming a citizen of the United States: These conditions to be proved to the satisfaction of the Director of Game and Fish before a license shall be issued, it being the intent of this section that all boats shall be manned by citizens of this State except as herein provided. (Acts 1924, p. 114; 1931, pp. 7, 14, Sect. 45-216, 1933 Code.)

**11. FISHING LICENSES ISSUED TO WHOM; INVALIDATION OF LICENSES.** No license to operate a boat for the purpose of taking fish, oysters or other seafood from the waters of this State shall be issued except to a bona fide citizen thereof, or to a resident corporation, or to that class of aliens described in Section 45-216: Provided, that all persons or corporations holding licenses under this section shall be prohibited from employing any person not a citizen of this State, except as provided in Section 45-216: Provided, further, that should the owner of any boat duly licensed under the laws of this State sell or transfer said boat by bill of sale or otherwise to any person not a citizen of this State or a resident corporation as aforesaid, then said license shall become null and void immediately. Any person violating the provision of this section shall, upon conviction, be punished as for a misdemeanor. (Acts 1924, p. 114, Sect. 45-217, 1933 Code.)

# CHAPTER III

## POSTING LAND AND REGISTRATION

**1. HUNTING ON LAND OR FISHING IN WATER OF ANOTHER.** Any person who shall hunt with dogs, firearms, or in any other way on any lands enclosed or unenclosed, of another, or fish with hook, seine, nets, or in any other way in any streams, lake ponds or lagoons of another, after being forbidden so to do or when ordered to desist therefrom by the owner thereof or by the person having the same in charge or his agent, shall be guilty of a misdemeanor. It shall be the duty of the landowners to post a notice in two or more places on each tract of land, forbidding all persons to hunt thereon or fish in the streams, ponds, lakes, or lagoons belonging to said landowners. (Acts 1868, p. 155; 1874, pp. 21, 22; 1878-9, p. 52; 1882-3, p. 73; 1897, p. 36; 1903, p. 44, Sect. 45-401, 1933 Code.)

**2. REGISTER FOR POSTING LANDS.** It shall be the duty of the ordinaries, or the commissioners of roads and revenues in the counties where such boards exist, to furnish a suitable book, to be known as the "register for posting lands," to the clerk of the superior court of their respective counties, in which the landowner shall register his or her name, after having first stated in the presence of the officers in charge of said book that the two notices have already been posted upon said landowner's land, as required by the preceding section. (Acts 1903, p. 44, Sect. 45-402, 1933 Code.)

**3. POSTING AND REGISTRATION, EFFECT OF.** The posting of the notices at two or more places on each tract of land (although such notices, from any cause, shall thereafter be defaced, knocked down, or destroyed) and the registering of the landowner's name in the register for posting lands shall be legal notice under this Chapter. (Acts 1878-9, p. 52; 1882-3, p. 73; 1897, p. 36; 1903, p. 44, Sect. 45-403, 1933 Code.)

**4. REGISTRATION, HOW MADE.** It shall be the duty of the tax receivers or county tax commi-

ioners, as the case may be, of the several counties to carry the register for posting lands with them on all their rounds when receiving tax returns, and all landowners who have placed a notice at two or more points on their lands as required by this Chapter are hereby authorized to register their names in the register for posted lands in the presence of the tax receiver or county tax commissioner, as the case may be, of their counties, in the same way as if registered in the presence of the clerks of the superior courts of their several counties. At the time of the registering of the names of the landowners, he shall also register a description of the lands that have been posted, giving the district in which said lands are located and either the numbers of the lots or other description of the lands sufficient to put the public on notice of the lands referred to. For registering said name and description the officer in whose presence the registry is made is authorized to charge and collect a fee of 25 cents from the person so registering. (Acts 1903, p. 44, Sect. 45-404, 1933 Code.)

**5. REGISTER, WHERE KEPT.** The register for posted lands shall be kept in the office of the clerk of the superior court, except while being used by the tax receiver or tax commissioner, as the case may be, while making his rounds; it being the purpose of this chapter to afford the parties posting the lands, as well as the parties desiring to hunt or fish, the privilege and opportunity of examining said register. (Acts 1903, p. 44, Sect. 45-405, 1933 Code.)

# CHAPTER IV

## HUNTING AND TRAPPING PROVISIONS

### A—GENERAL PROVISIONS

#### 1. HUNTING ON LANDS OF ANOTHER

Any person who shall hunt upon the lands of another with or without a license, without first having obtained permission from such landowner, shall be guilty of a misdemeanor and fined not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1911, pp 137, 142, Sect. 45-320, 1933 Code.)

**2. HUNTING ON ISLAND GAME PRESERVES.** Any person who shall hunt in any of the creeks, streams or estuaries leading from the Atlantic Ocean, sounds, rivers or bays of this State, surrounding the several islands of this State, used or maintained in whole or in part as private or public game preserves, when such creek, stream or estuary leads into such islands, or who shall enter such creek, stream or estuary for the purpose of hunting therein without the consent of the owners or resident custodian of such island, shall be guilty of a misdemeanor. Provided, that this law shall be held to apply only to a salt-water creek, stream or estuary that enters and ends in an island owned in its entirety by a single ownership family or estate. (Acts 1918, p. 262, Sect. 45-321 1933 Code.)

**3. USE OF TRAPS, POISONS, DRUGS, OR EXPLOSIVES; HUNTING AT NIGHT.** Any person who shall at any time kill, capture, or wound any game bird, or animal, by making use of any pitfall, deadfall, snare, trap, net, pen, or other device; or by making use of any poison, drug, or explosive; or shall hunt, capture, or kill any game bird, or animal at night, except raccoons, frogs, opossums, foxes, mink, skunk, otters, and muskrat, shall be guilty of a misdemeanor, and upon conviction shall be pun-



hed for a misdemeanor, provided, however, that any fine imposed on such person shall be not less than \$100.00 for each offense, or a term of service in public works imposed on such person shall be not less than sixty days for each offense. (Acts 1952, p. 63; Sect. 45-322, 1933 Code.)

4. It shall be unlawful for any person, firm, or corporation, to use a steel trap or other like device in trapping or catching any bird, game or animal in any of the counties of this State, whether the same be caught or trapped for profit or otherwise. But this Act shall not apply to the saltwater marshes and the islands along the Coast of Georgia; provided however that the Game and Fish Commission may issue special permits to game wardens, deputies, or other responsible persons, authorizing the taking by means of steel traps, or vermin, and predatory animals in localities where such vermin or predatory animals are a menace to quail or other game birds, and each steel trap used for this purpose must have securely fastened thereto a tag issued by the Department of Game and Fish showing authority for its use. Provided, That it shall be lawful for any person or persons to set any steel trap or other device within two hundred yards of the residence or dwelling of any such person for the protection of livestock, poultry or other fowls of animals from any predatory furbearing animal." (Sect. 45-323, 1933 Code; Acts 1939, p. 383.)

**5. TRAPS AND DEVICES TO PROTECT FOWLS NOT PROHIBITED, WHEN.** No person, firm, or corporation shall be prohibited from using steel traps or other like devices for the purpose of protecting fowls: Provided, that said steel traps or other like devices shall not be set or placed at a distance greater than 100 feet from said fowl house: and Provided further, that said fowl house shall be located within the curtilage of the dwelling house of said person, firm, or corporation. (Acts 1929, p. 5, Sect. 45-324, 1933 Code.)

**6. PUNISHMENT FOR UNLAWFUL TRAPPING.** Any person, firm or corporation violating any provision of the two preceding sections shall be

guilty of a misdemeanor. (Acts 1929, pp. 335, 336; Sect. 45-315, 1933 Code.)

**7. DUTY OF OFFICERS TO CONFISCATE TRAPS, ETC., ILLEGALLY USED.** It shall be the duty of State game protectors, deputy protectors, and all other deputies or employees of the Game and Fish Commission to confiscate all traps, deadfalls, or other similar devices used in violation of law, and to dispose of same as may be directed by the Game and Fish Commission. (Acts 1925, p. 305; 1931, pp. 7, 14; 1931, p. 173; 1935, p. 388, Sect. 45-327, 1933 Code.)

## **B—GAME BIRDS**

**1. ENUMERATION OF GAME BIRDS AND ANIMALS.** The following shall be deemed game birds and animals: Quail, commonly known as bob white partridges, doves, snipe, woodcock, curlews, wild turkeys, grouse, pheasants, deer, squirrels, ducks and marsh hens. (Acts 1911, pp. 137, 142; 1912, pp. 113, 117, Sect. 45-301, 1933 Code.)

**2. PENALTY FOR PURCHASE, SALE, ETC. OF GAME BIRDS OR ANIMALS.** Any person who shall purchase, sell, export for sale, or offer to sell any of the game birds or animals named in section 45-301, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$10 nor more than \$100 and costs for each offense, or shall be sentenced to work on the public works not less than 10 nor more than 90 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1911, pp. 137, 142; 1916, pp. 114, 116, Sect. 45-302, 1933 Code.)

**3. POSSESSION AND SALE FOR PROPAGATION OR SCIENTIFIC PURPOSES; REGISTRATION AND REPORTS.** Any person may have in his possession at any time any of the birds or wild animals of this State, or the plumage, skin, or body thereof for propagation or scientific purposes or for pets. Provided, that such person shall register with the Game and Fish Commission the number and variety of such birds or animals which he may have in his possession, and how acquired, and that such bird

or wild animals are used only for propagation or scientific purposes or for pets; and Provided, further, that such person may sell such birds or animals alive to be used for said purposes, and when so doing he shall report promptly to the Game and Fish Commission the number and species of birds and wild animals sold to whom sold, and that the person buying or otherwise acquiring such birds or wild animals shall promptly report to the Game and Fish Commission the person from whom he purchased or obtained such birds or animals, and the number and species thereof so acquired, and setting forth that they are to be held and kept only for propagation or scientific purposes or for pets. Any person who shall fail to comply with the provisions of this section shall be guilty of a misdemeanor. (Acts 1916, pp. 14, 116, Sect. 45-303, 1933 Code.)

**4. RING NECK PHEASANTS.** It shall be lawful for any person to commercially raise, grow, propagate, sell and purchase ring neck pheasants in the State of Georgia. (Acts 1950, p. 289, Sect. 45-303.1, Annotated Code.)

**5. LICENSES TO TAKE BIRDS OR WILD ANIMALS FOR PROPAGATION OR SCIENTIFIC PURPOSES; TRANSPORTATION OF BIRDS OR WILD ANIMALS.** The Game and Fish Commission, may, in their discretion, issue licenses or permits to any person or persons to take any of the birds or wild animals of this State, or the plumage, skin, or body thereof, or the nests or eggs of the same for propagation or scientific purposes or for pets, under such regulations and restrictions as may be imposed by the Commission. Such licenses or permits may be issued by the Commission upon the payment of a fee of \$1, and the same may be revoked at the pleasure of the Commission at any time. Such permits or licenses, unless sooner revoked, shall be good for one year from the date of issuance: Provided, that any person may transport or ship from any point within this State to any other point within this State birds or wild animals, alive, for propagation or for scientific purposes, and the transportation companies may accept such shipments, and both the

shipper and the transportation company accepting such shipment shall on the same day that the shipment is made, report to the Game and Fish Commission the number and species of such birds or wild animals shipped, and to whom and by whom shipped. Any person violating this section shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works for not less than 10 or more than 90 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1916, pp. 114, 116, Sect. 45-304, 193 Code.)

**6. UNLAWFUL TRANSPORTATION, PURCHASE, OR SALE OF GAME.** Any person who shall transport or ship, or offer to transport or ship any of the game birds or animals mentioned in section 45-301, without the limits of the State, or from the county in which the game shall have been killed into another county in this State, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin, or body of any of the game birds or animals mentioned in said section, or who shall take or wilfully destroy the nests or eggs of any of the said birds, except as provided in section 45-303, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge. Provided that it shall be lawful for any person duly authorized to hunt, to personally transport, openly, the game actually killed by him, from the county in which it was killed to any county of this State, or without the State, but the person killing said game must, in each instance, accompany the game so killed. (Acts 1911 pp. 137, 142; 1916, pp. 114, 116, Sect. 45-305, 193 Code.)

**7. PUNISHMENT OF COMMON CARRIER FOR TRANSPORTING GAME OUT OF STATE.** Any common carrier who shall ship or transfer, or

carry any game birds or animals without the limits of this State, except as herein provided, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge; Provided, that this section shall not apply to game in the personal possession of the person killing the same and who has obtained a license then in force. (Acts 1911, pp. 137, 144; 1916, pp. 114, 122, Sect. 45-306, 1933 Code.)

**8. PUNISHMENT OF COMMON CARRIER'S AGENT FOR UNLAWFULLY RECEIVING GAME OR SHIPMENT.** Any agent or employee of a common carrier who shall receive any game bird or animal for shipment without the State, or from one county to another county within this State, except as herein provided, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1911, pp. 137, 144; 1916, pp. 114, 123, Sect. 45-307, 1933 Code.)

**9. TIME ALLOWED FOR CONSUMING GAME.** Three days shall be allowed to consume game killed during the legal season. (Acts 1931, p. 8, Sect. 45-315, 1933 Code.)

**10. PENALTY FOR VIOLATING PRECEDING FIVE SECTIONS.** Any person violating any of the provisions of sections 45-311 to 45-315 shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$200 and costs of court, or shall be sentenced to work on the public works for not less than 30 days nor more than 90 days or to imprisonment in the common jail for not less than 30 days nor more than 90 days; or any one or all of said punishments in the discretion of



the court. The violation of section 45-314, relating to quail, shall be a misdemeanor and punished as provided in section 27-2506. (Acts 1925, p. 309; 1931 pp. 178, 181; 1935, p. 388, Sect. 45-316, 1933 Code.)

**11. BAITED LANDS.** It shall be unlawful for the owner of land or other person to scatter any corn, wheat or other grain or to bait for the purpose of drawing game birds to the land where such bait was scattered or placed for the purpose of shooting, or allowing to be shot at, or killing such game birds at or near the land so baited; and it shall be unlawful for any person to shoot at or kill any game birds at, upon over or near any baited field or land. Any person violating this section shall be guilty of a misdemeanor and fined not less than \$25 nor more than \$200 and all costs of court, or shall be sentenced to work on the public works for not less than 30 days nor more than 90 days or to imprisonment in the common jail for not less than 30 days nor more than 90 days; either or all of said punishments in the discretion of the court. (Acts 1925, pp. 303, 309, Sect. 45-317, 1933 Code.)

**12. TRAPPING QUAIL FOR PROPAGATION. PERMITS; FEE.** Punishment for trapping without permit; destruction of traps. In order to encourage the propagation and increase of bobwhite quail, the Game and Fish Commission is authorized to issue permits authorizing the trapping of quail for propagation purposes only. All traps used for trapping quail under authority of special permits issued pursuant to this section shall have securely attached thereto a metal tag to be prescribed by the Game and Fish Commission indicating that the trap used has been duly authorized. Permits shall be issued only upon the payment of 50 cents for each trap to be used. All persons operating or maintaining traps without obtaining the permit as herein provided shall be guilty of a misdemeanor and fined not less than \$25 nor more than \$200 and all costs of court, or shall be sentenced to work on the public works for not less than 30 days nor more than 90 days or to imprisonment in the common jail for not less than 30 days nor more than 90 days; either or all of said punishments in

the discretion of the court. It shall be the duty of all game protectors and other representatives of the Department of Game and Fish to destroy all traps used in violation of this section. (Acts 1925, p. 309; 1931, p. 178, 180; 1935, p. 388, Sect. 45-326, 1933 Code.)

**13. STORAGE OF GAME BIRDS AND ANIMALS.** It shall be unlawful for any person, firm or corporation, operating a grocery store, hotel, market, cold storage house, restaurant or any other public place designed to receive for storage, to store any game, game birds, or deer, wild turkey, wild duck, squirrel, rabbit, unless the person offering to store such described game shall first exhibit his hunter's license, together with written permission from the Game and Fish Commission, or written permission from a duly appointed district or deputy game protector, to store said game, which permit shall be kept by the person, firm or corporation accepting such game for storage and shall be exhibited to the Director of Game and Fish or any game protector of the Game and Fish Commission, on demand. (Acts 1937, p. 678, Sect. 45-346, Annotated Code.)

**14. STORAGE OF GAME AFTER CLOSE OF SEASON.** Any person having any deer or other game animal, or any wild turkey or other game bird on storage at the close of the legal hunting season, shall have five days in which to remove them from storage: Provided, however, the person who has any deer or other game animal or turkey or other game birds in storage can apply to the Director of Game and Fish Commission or any duly appointed district game protector who shall, on demand, stamp any deer or other game animal or any wild turkey or other game birds, with a stamp showing they were legally killed in season and they can continue in storage until such time as person owning them chooses to remove same. In case of deer or turkey or other large game animals or game birds, the stamp must be applied to the carcass; in case of small game animals, as squirrels or small game birds such as quail, they may be placed in a container and sealed with the number of animals, birds and name of species plainly marked on outside of container and the stamp may be applied to the

outside of the container. (Acts 1937, pp. 678, 679, Sect. 45-347, Annotated Code.)

**15. PENALTY FOR ILLEGAL STORAGE OF GAME.** Any person, firm or corporation violating any of the provisions of sections 45-346 or 45-347 shall, upon conviction thereof, be punished as for a misdemeanor. (Acts 1937, pp. 678, 679, Sect. 45-348, Annotated Code.)

## **C—NON-GAME BIRDS**

**1. DESTRUCTION OF NON-GAME BIRDS.** Any person who shall kill, catch or have in his possession any wild nongame bird, or take or destroy the nest or eggs of any nongame bird, or have the same in his or her possession, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge: Provided, that this section shall not apply to English sparrows, owls, hawks, eagles, crows, rice birds, and field or meadow larks, except that persons may ship into this State birds mounted for millinery purposes. (Acts 1911, pp. 137, 145; 1912, pp. 113, 118, Sect. 45-318, 1933 Code.)

**2. KILLING BUZZARDS LAWFUL.** It shall be lawful to kill buzzards at any and all times of the year. (Acts 1916, pp. 114, 123, Sect. 45-319, 1933 Code.)

## **D—GAME ANIMALS**

**1. ENUMERATION OF GAME BIRDS AND ANIMALS.** The following shall be deemed game birds and animals: Quail, commonly known as bob-white partridges, doves, snipe, woodcock, curlews, wild turkeys, grouse, pheasants, deer, squirrels, ducks and marsh hens. (Acts 1911, pp. 137, 142; 1912, pp. 113, 117, Sect. 45-301, 1933 Code.)

**2. PENALTY FOR PURCHASE, SALE, ETC.**

**OF GAME BIRDS OR ANIMALS.** Any person who shall purchase, sell, export for sale, or offer to sell any of the game birds or animals named in section 45-301, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$10 nor more than \$100 and costs for each offense, and shall be sentenced to work on the public works not less than 10 nor more than 90 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1911, pp. 137, 142; 1916, pp. 114, 116, Sect. 45-302, 1933 Code.)

**3. POSSESSION AND SALE FOR PROPAGATION OR SCIENTIFIC PURPOSES; REGISTRY AND REPORTS.** Any person may have in his possession at any time any of the birds or wild animals of this State, or the plumage, skin, or body thereof, for propagation or scientific purposes or for pets: Provided that such person shall register with the Game and Fish Commission the number and variety of such birds or animals which he may have in his possession, and how acquired, and that such birds or wild animals are used only for propagation or scientific purposes or for pets: and Provided, further, that such person may sell such birds or animals alive to be used for said purposes, and when so doing he shall report promptly to the Game and Fish Commission the number and species of birds and wild animals sold and to whom sold, and that the person buying or otherwise acquiring such birds or wild animals shall promptly report to the Game and Fish Commission the person from whom he purchased or obtained such birds or animals, and the number and species thereof acquired, and setting forth that they are to be used and kept only for propagation or scientific purposes or for pets. Any person who shall fail to comply with the provisions of this section shall be guilty of a misdemeanor. (Acts 1916, pp. 114, 116, Sect. 45-303, 1933 Code.)

**4. LICENSES TO TAKE BIRDS OR WILD ANIMALS FOR PROPAGATION OR SCIENTIFIC PURPOSES; TRANSPORTATION OF BIRDS OR WILD ANIMALS.** The Game and Fish Commission, in their discretion, issue licenses or permits to

any person or persons to take any of the birds or wild animals of this State, or the plumage, skin, or body thereof, or the nests or eggs of the same for propagation or scientific purposes or for pets, under such regulations and restrictions as may be imposed by the Commission. Such licenses or permits may be issued by the Game and Fish Commission upon the payment of a fee of \$1, and the same may be revoked at the pleasure of the Commission at any time. Such permits or licenses, unless sooner revoked, shall be good for one year from the date of issuance. Provided, that any person may transport or ship from any point within this State to any other point within this State birds or wild animals, alive, for propagation or for scientific purposes, and the transportation companies may accept such shipments, and both the shipper and the transportation company accepting such shipment shall, on the same day that the shipment is made, report to the Game and Fish Commission the number and species of such birds or wild animals shipped, and to whom and by whom shipped. Any person violating this section shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works for not less than 10 nor more than 90 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1916, pp. 114, 116, Sect. 45-304, 193 Code.)

**5. UNLAWFUL TRANSPORTATION, PURCHASE, OR SALE OF GAME.** Any person who shall transport or ship, or offer to transport or ship any of the game birds or animals mentioned in section 45-301, without the limits of the State, or from the county in which the game shall have been killed into another county in this State, or who shall sell or offer for sale, or purchase or offer to purchase, any part of the plumage, skin, or body of any of the game birds or animals mentioned in said section, or who shall take or wilfully destroy the nests or eggs of any of the said birds, except as provided in section 45-303 shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than



ve nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge. Provided, that it shall be lawful for any person duly authorized to hunt, to personally transport, openly, the game actually killed by him, from the county in which it was killed to any county in this State, or without the State, but the person killing said game must, in each instance, accompany the game so killed. (Acts 1911, pp. 137, 142; 1916, pp. 114, 116, Sect. 45-305, 1933 Code.)

#### **6. PUNISHMENT OF COMMON CARRIER FOR TRANSPORTING GAME OUT OF STATE.**

Any common carrier who shall ship or transfer, or carry any game birds or animals without the limits of this State, except as herein provided, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge: Provided, that this section shall not apply to game in the personal possession of the person killing the same and who has obtained a license then in force. (Acts 1911, pp. 137, 144; 1916, pp. 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.)

#### **7. PUNISHMENT OF COMMON CARRIER'S AGENT FOR UNLAWFULLY RECEIVING GAME FOR SHIPMENT.**

Any agent or employee of a common carrier who shall receive any game bird or animal for shipment without the State, or from one county to another county within this State, except as herein provided, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1911, pp. 137, 144; 1916, pp. 114, 123, Sect. 45-307, 1933 Code.)

#### **8. REPORT OF DEER KILLED.** Every person

killing a deer in this State shall within five days report the fact in writing to the State game protector of the county in which said deer was killed, and if the name or address of said game protector shall not be known to the hunter, or if for any good reason he cannot notify said game protector he shall make the report in writing to the Game and Fish Commission within the time above specified. (Acts 1925, p. 303; 1931, p. 173; 1935, p. 388, Sect. 45-313, 1933 Code.)

**9. TIME ALLOWED FOR CONSUMING GAME.** Three days shall be allowed to consume game killed during the legal season. (Acts 1931, p. 178, Sect. 45-315.)

**10. PENALTY FOR VIOLATING PRECEDING FIVE SECTIONS.** Any person violating any of the provisions of sections 45-311 to 45-315 shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$200 and all costs of court, or shall be sentenced to work on the public works for not less than 30 days nor more than 90 days or to imprisonment in the common jail for not less than 30 days nor more than 90 days; either or all of said punishments in the discretion of the court. The violation of section 45-314, relating to quail shall be a misdemeanor and punished as provided in section 27-2506. (Acts 1925, p. 309; 1931, pp. 178, 181; 1935, p. 383, Sect. 45-316, 1933 Code.)

**11. PENALTY FOR HUNTING DEER IN CLOSED COUNTY.** Any person hunting or killing any deer in any county or counties closed to hunting or killing deer shall be guilty of a misdemeanor. (Acts 1935, pp. 363, 364, Sect. 45-338, Annotated Code.)

**12. HUNTING WITHIN HALF MILE OF STREAM IN FLOOD UNLAWFUL.** It shall be unlawful for any person to hunt or kill at any time any game, bird, deer, turkey, squirrel, or any other species of game within one-half mile of any stream which is in flood until such time that such flood water shall have receded. The term "in flood" shall be held and deemed to mean when such stream shall have overflowed its bank or banks: Provided, however

that this provision shall not prohibit the hunting or killing of wild duck or other water fowl when done from boats upon said stream when in season. (Acts 1935, p. 386, Sect. 45-341, Annotated Code.)

**13. PENALTY FOR VIOLATING PRECEDING FOUR SECTIONS.** Any person, firm or corporation violating any of the provisions of sections 45-339 to 45-341, (Annotated Code), inclusive, shall, upon conviction thereof, be punished as for a misdemeanor. (Acts 1935, p. 388, Sect. 45-342, Annotated Code.)

**14. STORAGE OF GAME BIRDS AND ANIMALS.** It shall be unlawful for any person, firm or corporation, operating a grocery store, hotel, market, cold storage house, restaurant or any other public place designed to receive for storage, to store any game, game birds, or deer, wild turkey, wild duck, squirrel, rabbit, unless the person offering to store such described game shall first exhibit his hunter's license, together with written permission from the Game and Fish Commission or written permission from a duly appointed district or deputy game protector, to store said game, which permit shall be kept by the person, firm or corporation accepting such game for storage, and shall be exhibited to the Director of Game and Fish, or any game protector of the Game and Fish Commission, on demand. (Acts 1937, p. 678, Sect. 45-346, Annotated Code.)

**15. STORAGE OF GAME AFTER CLOSE OF SEASON.** Any person having any deer or other game animal, or any wild turkey or other game bird on storage at the close of the legal hunting season, shall have five days in which to remove them from storage: Provided, however, the person who has any deer or other game animal or turkey or other game birds on storage can apply to the Game and Fish Commission, or any duly appointed district game protector who shall, on demand, stamp any deer or other game animal or any wild turkey or other game birds, with a stamp showing they were legally killed in season and they can continue in storage until such time as person owning them chooses to remove same. In case

of deer or turkey or other large game animals or game birds, the stamp must be applied to the carcass; in case of small game animals, as squirrels or small game birds such as quail, they may be placed in a container and sealed with the number of animals or birds and name of species plainly marked on outside of container and the stamp may be applied to the outside of the container. Acts 1937, pp. 678, 679, Sec. 45-347, Annotated Code.)

16. Any person, firm or corporation violating any of the provisions of this Act shall, upon conviction thereof, be punished as for a misdemeanor. (Acts 1937, p. 679.)

## **E—NON GAME ANIMAL**

1. **FUR-BEARING ANIMALS, WHAT ARE** The following shall be deemed fur-bearing animals: Mink, otter, beaver, bear, wildcat, muskrat, skunk, raccoon, opossum and fox. (Acts 1925, p. 304, Sec. 45-328, 1933 Code.)

2. **TRAPPING OF FUR-BEARING ANIMALS WHEN LAWFUL.** It shall be lawful to trap by the use of steel traps or other like devices, the fur-bearing animals mink, muskrat, otter, raccoon, opossum, skunk, bobcat, weasel and fox in any of the counties of the State during the lawful trapping season, and after the person, firm or corporation desiring to trap has procured a trapper's license as prescribed by law (Acts 1935, p. 480, Sect. 45-343, Annotated Code.)

3. It shall be unlawful throughout the State to use any kind of firearm to kill or injure mink or otter; provided that nothing herein shall prevent a person from killing any of said animals while said animals are destroying or damaging, or about to destroy or damage such person's crops, domestic fowl or other personal property. (Acts 1952, p. 114.)

3A. It shall be unlawful throughout the State for any person to have in their possession, or to offer for sale any mink or otter pelts killed as herein stated (Acts 1952, p. 114.)

3B. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and fined not less than \$150.00 nor more than \$1,000.00 and

all costs of court, or shall be sentenced to work on the public works for not less than 30 days nor more than 90 days; either or all of said punishment in the discretion of the court. (Acts 1952, p. 114.)

**4. REPORTS OF FUR TRANSACTIONS; RULES AND REGULATIONS GOVERNING.** Every person, firm or corporation who shall buy, sell, ship or transport the skins, hides or pelts of any of the fur-bearing animals mentioned in section 45-328 shall be required to make such reports of purchases, sales and shipments as may be prescribed by the Game and Fish Commission and the Game and Fish Commission is hereby empowered to enact the necessary rules and regulations to carry out the purpose of this section. (Acts 1925, p. 306; 1931, pp. 7, 14, Sect. 45-332, 1933 Code.)

**5. FOX-HUNTING WITH DOGS LAWFUL; LANDOWNER'S PERMISSION TO HUNT.** It shall be lawful to hunt, chase or catch foxes with dogs at any time: Provided, that no hunter shall go upon the land of another without the permission of the owner or owners thereof. (Acts 1931, p. 172, Sect. 45-333, 1933 Code.)

**6. DESTRUCTIVE MUSKRAT; KILLING.** Whenever muskrats shall cause damage to dams or cultivated or pastured land, they may be killed after investigation by the Department of Game and Fish, and a permit issued by that Department: Provided, that where muskrats are destroying property any person may kill or destroy them without obtaining a permit. (Acts 1920, p. 235, Sect. 45-335, 1933 Code.)



# CHAPTER V

## FISHING

### A.—GENERAL PROVISIONS

#### 1. SELLING OR PURCHASING FRESH WATER FISH DURING SPAWNING SEASON

It shall be a misdemeanor to sell or purchase fresh water fish during the spawning season of April 15 to June 1. (Acts 1931, pp. 169, 171, Sect. 45-502, 193 Code.)

2. It shall be unlawful for any person or person to take fish from any of the fresh waters of Georgia by means of seines, traps, nets, or similar devices or by means of dynamite, poison, or by other means except with hook and line; provided, however that any person in lawful possession of a private pond under lease or ownership, and others with his consent, may take fish in said ponds at any time and in any manner they please; provided further that nothing herein shall be deemed to modify or repeal the laws of this State regulating shad-fishing; provided further, that it shall be lawful to use gill-nets for the purpose of taking fresh-water mullet, carp, gar, and suckers during the months of December, January and February, provided that the mesh of said gill-net shall not be less than three inches square or six inches when stretched. Provided, that it shall be lawful to take fish in the waters of Broad River, in said State of Georgia from the point where the highway bridge between Washington and Elberton, Georgia, crosses said stream, to where Broad River empties into Savannah River, during the period of July 15th through August 15th of each and every year after the passage of this Act, with seines having a mesh of not less than one inch when squared. (Acts 1935, p. 377, Sect. 45-505, 1933 Code.)

2C. Provided, however, that in that part of the Savannah River which is within the boundaries of Georgia and which borders upon the counties of Elbert and Hart it shall not be illegal for persons who hold a license to fish to take fish with seines provided the mesh of such seines shall not be less than one and one-half ( $1\frac{1}{2}$ ) inches square. That this provision

shall remain operative only so long as the statutes of South Carolina authorize the taking of fish in the same manner from that portion of the Savannah River which is within the boundaries of the State of South Carolina and is now defined as Zone No. 2. (Acts 1941, p. 371, Sect. 45-505, 1933 Code.)

**3. USE OF TRAPS, FISH BASKETS, ETC.; DESTRUCTION.** Any person who shall place or cause to be placed in any of the waters of this State, except private ponds, any trap, basket or similar device for the purpose of catching fish shall be guilty of a misdemeanor. It shall be the duty of the game protector, deputy game protector, sheriff or other officer to destroy such trap, basket or other device upon discovery of same and report that fact to the Commissioner of Game and Fish. (Acts 1925, p. 307; 1935, p. 388, Sect. 45-506, 1933 Code.)

**4.** That the owner of a private pond, his family or tenants, with the owner's consent, shall be permitted to fish within the bounds of said pond at any time and in any manner they please. A private pond is one which lies wholly within the boundaries of a single ownership. (Acts 1925, p. 306.)

**5.** Any person who shall use in this State any battery, generator, or other similar device, or any dynamite or explosives or other destructive substances for the purpose of catching, killing, or harming fish shall be guilty of a felony, and shall upon conviction thereof, be punished or confined in the penitentiary for not less than one nor more than three years, or by a fine of not less than \$250.00 nor more than \$1,000.00, or by both fine and imprisonment; provided, that the provisions of this section of any other section shall not apply to mills, dyeplants or other industries of this State emptying residue into waters necessary in the operation of said mills, dyeplants or other industries. (Acts 1952, p. 6; Sect. 45-507, 1933 Code.)

**6. USE OF FIREARMS FOR KILLING FISH.** Any person who shall use any kind of firearms for the purpose of killing fish shall be guilty of a misdemeanor. (Acts 1925, p. 306, Sect. 45-508, 1933 Code.)

**7. POISONING FISH.** Any person who shall directly by himself, or by aiding or abetting others, place in any of the waters of this State any poisonous substances, walnut hulls, lime, or other substance likely to destroy fish, shall be guilty of a misdemeanor. (Sect. 45-509, 1933 Code.)

**8. OBSTRUCTING PASSAGE OF FISH IN FRESH WATERS.** Any person who shall place in any river, creek or fresh-water drain, any dam, trap, net, seine, or other device for catching fish, unless the main channel of such stream shall be left open for a space of 10 feet for rivers and one-third of the channel of a creek, at low-water mark, unobstructed for the free passage of fish up or down such stream, shall be guilty of a misdemeanor. The sheriff of the county, upon complaint of persons in the territory of such obstructions, shall have authority to break and open any dam, net or other obstructions that may be placed in such waters in violation of this section. This section shall not apply to dams for milling or manufacturing purposes. The words "low-water mark" shall not apply to fresh-water drains. (Acts 1890-1, p. 85; 1895, p. 33, Sect. 45-510, 1933 Code.)

**9. FISHING ON LANDS OF ANOTHER.** Any person who shall fish upon the lands of another with or without a license, without first having obtained permission from such landowner, shall be guilty of a misdemeanor and shall be fined not less than \$10 nor more than \$100 and all costs for each offense, or shall be sentenced to work on the public works not less than five nor more than 30 days; and any one or more of these punishments may be ordered in the discretion of the judge. (Acts 1911, pp. 137, 142. Sect. 45-513, 1933 Code.)

**10A.** From and after the passage of this Act, any individual, firm or corporation owning the real property on both sides of a tidal stream or estuary for its entire length shall have the right of full control over the shell fish over such tidal stream or estuary. (Acts 1952, p. 247.)

**10B.** Where the real property on both sides of any such stream or estuary is owned by two or more per-

ons; firms or corporations, then the right of full control over such tidal stream or estuary may be exercised by such individuals, firms or corporations jointly. (Acts 1952, p. 247.)

10C. Such person or persons so vested with such right of full control shall also be seized and possessed with the exclusive rights to take shell fish therefrom; provided that such person or persons shall post conspicuously on either side of the entrance to such stream or estuary a sign with letters not less than six inches in height reading "Posted No Admittance." (Acts 1952, p. 247.)

10D. Any person who shall take shell fish from any such tidal stream or estuary after the same has been posted as aforesaid shall be guilty of a misdemeanor and upon conviction thereof in a court of competent jurisdiction shall be punished as for a misdemeanor. (Acts 1952, p. 247.)

10E. Provided nevertheless that this Act shall not apply to persons while engaged in commercial shad cat fishing or to persons while engaged in sport fishing with hook and line. (Acts 1952, p. 247.)

10F. Provided, however, that no such owner of lands adjoining any such tidal stream shall be permitted to construct barricades or other obstacles across such stream to prevent ingress or egress to and from on such stream. (Acts 1952, p. 247.)

**11. FISHING ON ISLAND GAME PRESERVES.**  
Any person who shall fish in any of the salt-water creeks, streams or estuaries leading from the Atlantic Ocean, sounds, rivers, or bays of this State, surrounding the several islands of this State, used or maintained in whole or in part as private or public game preserves, when such creek, stream or estuary for the purpose of fishing therein without the consent of the owners or resident custodian of such island, shall be guilty of a misdemeanor: Provided, that this law shall be held to apply only to a salt-water creek, stream or estuary that enters and ends in an island owned in its entirety by a single ownership, family or estate. (Acts 1918, p. 262, Sect. 45-514, 1933 Code.)

**12. DUTY OF SHERIFFS, ETC., AS TO WRITS AND WARRANTS, AND REPORTING VIOLA-**

**TIONS OF LAW.** All sheriffs, deputy sheriffs, and constables in tidewater Georgia, shall execute all writs and warrants placed in their hands against violators of the game and fish laws, and such sheriffs, deputy sheriffs, and constables shall report to the Game and Fish Commission all violations of the game and fish laws that come under their knowledge, and procure warrants for such offenders and apprehend the same. (Acts 1924, p. 115; 1931, p. 7, Sect. 45-515, 1933 Code.)

#### **B—Shad.**

**POSSESSION OF NETS, ETC., PRIMA FACIE EVIDENCE OF GUILT.** The possession, or the having in any boat in or upon the waters of this State, of any net or other device for the purpose of taking shad during such time as the law prohibits the taking of such fish, shall be prima facie evidence that the person having such nets or equipment in his possession is guilty of taking shad in violation of laws. (Acts 1918, pp. 270, 271, Sect. 45-604, 1933 Code.)

#### **C—Terrapins**

**1. TIME WITHIN WHICH TERRAPINS MAY NOT BE CAPTURED.** If any person shall capture terrapins in any of the rivers, estuaries, bays, sounds, creeks, or tidewaters by means of seines, nets, traps or other device, from the first day of March to the 25th day of July, he shall be guilty of a misdemeanor. (Acts 1887, p. 99, Sect. 45-701, 1933 Code.)

**2. FEMALE TERRAPINS OF CERTAIN SIZE NOT TO BE CAPTURED.** No person shall capture in any manner, or at any time, female terrapins of a size less than five and one-half inches, measured lengthwise on the lower shell; and when any such terrapins are caught, they shall be at once returned to the waters from which they were taken. A violation of this section shall be a misdemeanor. (Acts 1887, p. 99, Sect. 45-702, 1933 Code.)

**3. EVIDENCE AND EXCEPTION.** It shall be prima facie evidence of a violation of the provisions of the preceding two sections for any person or persons to be found in possession of any terrapin of a size less than five and one-half inches, measured



lengthwise on the lower shell, at any season of the year, or of any terrapin of any kind between the first of March and the 25th of July: Provided, that nothing in this section shall be so construed as to apply to persons owning and maintaining a bona fide and fully established terrapin crawl or pen in which terrapins may be kept for the purpose of raising and cultivation. (Acts 1887, p. 99; 1902, p. 56, Sect. 45-703, 1933 Code.)

**4. SIZE OF MESHES OR OPENINGS IN NETS USED TO CAPTURE TERRAPINS.** If any person shall at any time use any seine, net, trap, or other device for the capture of terrapins, with meshes or openings smaller than five and one-half inches stretched, or four and one-fourth inches loose measure, he shall be guilty of a misdemeanor. (Acts 1887, p. 99, Sect. 45-704, 1933 Code.)

# CHAPTER VI

## SEAFOOD

### A.—Shrimp-Prawn-Crab

**1. HEADING SHRIMP OR PRAWN; PRIMA FACIE PROOF.** It shall be a misdemeanor for any person to head shrimp or prawn on the fishing grounds where the same are caught or where shrimp or prawn commonly run or are caught. When headless shrimp or prawn shall be found in the possession of any person while on the salt waters of this State, the same shall be accepted as prima facie proof that said shrimp or prawn have been headed in violation of this section. (Acts 1924, p. 116, Sect. 45-511, 1933 Code.)

**2A.** It is hereby unlawful in this State to drag a net larger than ten feet in diameter at the widest part of its mouth for the purpose of taking shrimp in the sounds, rivers, or within the three mile limit of Georgia between January 1st and March 15th inclusive. (Acts 1952, p. 77.)

**2B.** Any person violating the provision herein provided shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$250.00 and all costs in each case, nor more than \$1,000.00 and all costs in each case, or shall be sentenced to serve upon the public works of the county in which convicted for not less than 30 days nor more than 90 days. (Acts 1952, p. 77.)

**2C.** Be it further enacted that before any sounds or inland waters on the coast of Georgia be opened for commercial shrimping or fishing with power drawn nets for the purpose of taking shrimp or fish from said waters, that an election shall be first called in any one of said counties to determine the desire of the people of such county with respect to opening of said sounds and inland waters. Such election shall be called by the ordinary of the county in which the election is sought to be held, upon the filing of a petition signed by 10% of the voters of said county who were qualified to vote at the last general election for members of the General Assembly. Said election shall be held within 60 days from the filing

f the petition. At such election all persons shall be qualified to vote, who were qualified to vote at the last general election for members of the General Assembly. Said election shall be held in the same manner as elections are held in the respective counties for members of the General Assembly. At said election there shall be presented to the voters of said county the question to be determined as follows: 1. For opening of sounds to commercial fishing in \_\_\_\_\_ county, and against opening of sounds for commercial fishing in \_\_\_\_\_ county. In the event a majority of the voters voting in said election vote for the opening of the sounds, it shall be the duty of the State Game and Fish Commission to declare said sounds open for commercial shrimping and fishing. If a majority of the voters voting in said election vote against opening of the sounds for commercial fishing and shrimping, it shall be the duty of the State Game and Fish Commission to keep said sounds and waters closed to commercial fishing and shrimping, and to enforce said order. No such election shall be held in any county more than once in every two years. The expense of said election shall be borne by the said counties wherein such election is held, and it shall be the duty of the governing authority of said counties to pay the expense of said election from the treasury of said county. (Acts 1952, p. )

D. Provided however, that the provisions of this shall not prevent the State Game and Fish Commission from making and promulgating reasonable rules and regulations, regulating the taking of shrimp in the sounds, rivers, or within the three mile limit in Georgia, during the period of time between March and December 31, inclusive. (Acts 1952, p. 77.)

It shall be unlawful for any person to take or export shrimp, prawn or crabs in this State and transport the same beyond the limits of this State without bringing the same into some Georgia port, having the same weighed by the Director of Fish and Game or his authorized agent, officer or employee, paying the tax thereon provided by law before the same are permitted to leave the boundaries of the State. Any person violating the provisions of this

Section shall, upon conviction, be punished as for misdemeanor. (Acts 1924, p. 109; 1931, pp. 7, 14; 1950, p. 390, Sect. 45-819, 1933 Code.)

**3B.** The Director of Fish and Game shall prepare weekly report forms on which all distributors or dealers, including manufacturers who are manufacturers or dealers, who process and/or sell shrimp, prawn or crabs in this State shall, on each Monday of each week, report the poundage of shrimp, or prawn, or crabs received the preceding week to the Director of Fish and Game or his agent, together with the payment of the tax thereon, as now provided by law (Acts 1950, p. 390; Sect. 45-819, 1933 Code.)

**4.** Section 1. It shall be unlawful for any person, firm or corporation to take from any waters in this State, or to buy or sell, or to be possessed of, any spawning female crab or crabs during the months of February, March or April, of each year. (Acts 1939, p. 367; Sect. 45-516, Annotated Code.)

**4B.** Any person, firm or corporation violating this Act shall be guilty of a misdemeanor. (Acts 1939, p. 367; Sect. 45-516, Annotated Code.)

**5.** All distributors or dealers (including manufacturers who are distributors or dealers) who sell oysters in this State (except those importing and selling the same in the original package in which brought into the State) shall pay thereon an occupation tax as follows: one cent on each sixty ounces of canned oysters; two (2) cents on each gallon of raw shucked oysters; five (5) cents upon each bushel of oysters sold in the shell, and, in addition to the foregoing taxes, a tax of one-sixteenth ( $1/16$ ) of a cent hereby imposed upon every pound of shrimps or prawn caught or taken from the waters of this State for sale; in addition to the foregoing a tax of one-eighth of one cent is hereby imposed upon every pound of crabs caught or taken from the waters of this State for sale; Provided that nothing in this Act shall be construed to place a tax upon or prohibit the sale of oysters or shrimps or crabs for local consumption by peddlers or hucksters who sell direct to the consumer; Provided that no one person shall take or remove from the public beds of this State more than ten (10) bushels of oysters in any one day.

such purpose. Each package containing oysters canned in this State, or raw shucked oysters, or oysters in the shell, gathered in this State shall be stamped by the manufacturer or dealer, or distributor, with quantity of oysters contained in each can, barrel or other package in which the same are offered for sale within the State or shipped. Each distributor or dealer, including the manufacturers who are distributors or dealers, shall place stamps in the amount necessary upon each of said packages, to comply with the requirements of the payment of the occupation taxes hereinbefore set out. (Acts 1924, p. 109; 1937, p. 623; Sect. 45-812, 1933 Code.)

6. All boats licensed by this State to do commercial fishing, including those licensed to trawl for shrimp in the waters of this State, shall, before landing or unloading any shrimp or prawn caught in the waters of this State at any port or place other than in the State of Georgia, shall first either land or unload or pay the tax hereinabove provided to the State of Georgia. At the time of landing, unloading or paying said tax, the captain or other person in charge of said boat shall furnish to the Supervisor of Coastal Fisheries, or his duly authorized agent, a report, sworn to by the person making same, setting out in detail the number of pounds of shrimp or prawn caught in the waters of this State, the number of pounds caught outside the waters of this State and where said shrimp were caught and the dates and places where all said shrimp were caught. At the end of each month, or within five days thereafter, it shall be the duty of the distributor or dealer purchasing said shrimp or prawn for sale, shipping, packing or canning, to pay the tax above provided. (Acts 1937, p. 623; 1941, pp. 368, 369, 370, 371; Sect. 45-812, 1933 Code.)

6B. The captain or any person in charge of any boat or boats licensed to trawl for shrimp or prawn in the waters of this State shall, before trawling for shrimp or prawn beyond the three mile limit of waters adjacent to the waters of this State, notify the Supervisor of Coastal Fisheries or his duly authorized agent, in writing, of said fact, so that said Inspector or his agent may determine whether the shrimp or prawn caught by such boat were caught



beyond such three mile limit, or within the waters of this State. In the event such a boat or boats shall fish beyond such three mile limit on any day without having given such notice to the Supervisor or his agent, then it shall be conclusively presumed that all shrimp or prawn caught, landed and unloaded, as above provided were caught or taken within the waters of this State and are subject to the tax above provided. (Acts 1941, pp. 368-371; Sect. 45-812, 1933 Code.)

6C. The Supervisor of Coastal Fisheries or any other person or officer of this State, shall not issue a license for any boat to trawl for shrimp in the waters of this State unless and until the following requirements have been complied with:

6D. Each such boat shall be assigned a number by the Supervisor of Coastal Fisheries, under which such boat or boats shall be licensed and operated, and it shall be the duty of the owner or operator of said boat to paint on each side of the cabin or deckhouse thereof the number so assigned in numerals at least two feet in height, with the barrel of the numerals four inches in width, and the paint used for said purpose shall be different from and in clear contrast in color to the boat on which applied (Acts 1941, pp. 368-371; Sect. 45-812, 1933 Code.)

6E. The number so painted on said boat shall not be covered at any time while said boat is trawling or fishing for shrimp or prawn by any cloth or other object so as to obscure or make the same invisible to the public or to any inspector or agent. The Supervisor of Coastal Fisheries shall have the authority to issue a temporary permit to the owner or operator of any boat not now complying with these provisions under which said boat may be operated for a period not exceeding 15 days, during which time the owner or operator of said boat shall apply to the Inspector of Coastal Fisheries for a license for said boat and said Inspector shall assign a number to said boat and the person to whom said number is assigned, shall within said 15 days and before the license for said boat is granted and delivered by the Inspector, paint said number on the boat as above provided. It shall be unlawful for any person to trawl for shrimp or

prawn without having first complied with the provisions of this act, unless such persons holds a permit which has not expired upon the boat used in such trawling. (Acts 1941, pp. 368-371; Sec. 45-812, 1933 Code.)

6F. Any person who shall trawl for shrimp or prawn in the waters of this State without having complied with, or in violation of, any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Section 27-2506 of the Code of Georgia of 1933; and in addition to such punishment, the Supervisor of Coastal Fisheries, after such conviction, shall have the authority to revoke or suspend, either with or without a hearing, the license of any boat for six months or any part thereof. (Acts 1941, pp. 368-371; Sect. 45-812, 1933 Code.)

6G. Any person who shall make any false, fraudulent or wilfully incorrect report to the Supervisor of Coastal Fisheries or his duly authorized agent, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided for in Section 27-2506 of the Code of Georgia of 1933. (Acts 1941, pp. 368-371; Sect. 45-812, 1933 Code.)

**7. DEALER'S RECORD OF OYSTERS AND SHRIMP; REPORTS; COPY OF BILL OF LADING.** All persons owning or operating canning factories, shucking plants, or otherwise dealing in or supplying shrimp or oysters for commercial purposes, shall keep a record in which shall be entered the amount of oysters and shrimp taken from Georgia waters, the name of each person from whom they shall purchase oysters and shrimp, together with the date of purchase and quantity purchased; the name, number and approximate tonnage of the boat which they were brought to the factory, the quantity canned and packed for shipment, and the date and amount of each shipment, as well as a record of all oysters and shrimp shipped raw and oysters sold in the shell, and make an itemized written report to the Game and Fish Commission not later than the fifth day of each month. They shall also keep a file a copy of the bill of lading for each shipment; and book and said file of bills of lading to be open

at all times to the inspection of the Game and Fish Commission or to their agents or employees, or to the Comptroller General or his agents, and they shall, between the first and 15th days of May in each year, make a report to the Game and Fish Commission of the number of canned oysters and the numbers of stamps of each denomination on hand on the first day of May. Any person or persons violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$25 nor more than \$200, or be sentenced to labor for not more than six months nor less than 30 days on the public works of the county. (Act 1924, p. 111; 1931, pp. 7, 14, Sect. 45-18, 1933 Code.)

## **B.—Oysters**

**1. LEASES OF OYSTER BEDS; TERMS; FEE; NOTICE OF APPLICATION; FORFEITURE ETC.** It shall be lawful for the Game and Fish Commission to lease to any citizen of this State, or to any corporation chartered under the laws of this State and having its principal shucking plant or canning factory in this State, portions of the oyster beds or bottoms, other than natural or privately owned beds or bottoms, for a period of not exceeding 20 years, with the privilege of renewal at such rate as may be prescribed by the Commission, but in no event shall any person, firm, corporation, or combination of persons, lease or hold in excess of 1,000 acres, not to consist of more than two parcels, nor have the privilege of this section until he shall have demonstrated to the Commissioner his willingness, ability and intention to comply with the laws, as well as the rules and regulations prescribed by the Game and Fish Commission for leasing and cultivating oyster beds. The owners of lands having water fronts thereon suitable for planting oysters shall have prior rights over all other applicants for assignment and lease of oyster planting grounds adjacent thereto. All applications for lease of land under this law shall be made on blanks to be prescribed by the Game and Fish Commission and shall be sworn to by the applicant. Each application shall be accompanied by a deposit of \$10 as a guarantee of good faith, and to

apply on cost of survey. Notice of such application shall be published once a week for four weeks in the official newspaper of the county or counties in which such lands lie four weeks prior to making such application. If no good cause shall be shown to the contrary, the Commission may have said ground surveyed and a plat made thereof, and grounds marked off, at the cost of the applicant, at the time the survey shall be made, and at the direction of the surveyor, with suitable stakes, smooth and free from tags and spurs and suitable stakes shall be kept by the lessee in their proper places during the continuance of such lease, so as to conform accurately to the survey. Should such stakes be removed, rot down, or be carried away, the lessee shall replace them at his own expense in their proper places, and if he shall fail to do so within 30 days after being notified by the patrolman of the district within which the ground lies, the said lease shall be forfeited. (Acts 1924, p. 105; 1931, p. 7, Sect. 45-801, 1933 Code.)

## **22. RECORD OF SURVEY; FEE; ANNUAL RENTAL; PENALTY FOR NONPAYMENT; DEPOSIT OF SHELLS OR OYSTERS BY LESSEE.**

The survey and plat of any assignment, as soon as practicable after it is made, and after said grounds have been assigned to said applicant, shall be delivered to said applicant, who shall record the same in the office of the clerk of the superior court of the county or counties in which said ground lies, and a copy thereof shall also be filed in the office of the Game and Fish Commission. The surveyor surveying the tract so assigned shall make plats of such surveys for such office, and for the person to whom such assignment is made. Such plat shall be duly recorded in such office in a well bound and substantial book, and indexed in the name of the assignee. The clerk of the superior court shall receive for recording the fee in his office the fee now required for recording maps and plats. The annual rental of land leased under this section shall be such amount per acre as the Commission may fix upon, but in no case less than ten cents per annum, and shall be due on the first of September of each year after the date of the assignment, and payable on or before the first day of November following. If not paid on or before Novem-



ber first, a 25 per cent fine shall be added, and inspector of such district shall proceed to levy rental and fines. The lessee shall be required to posit, under the supervision of the inspector of district within such time as may be designated the Commission in his lease, shells or oysters the amount of not less than 10 nor more than 1,0 bushels per acre for the entire area leased, the amo to be fixed by the Commission. The lessee shall required to deposit, under the supervision and direction of the Game and Fish Commission every year during the life of the lease, a number of bushels shells or oysters on each acre of the tract or part of ground leased by him, equal to 25 per centum the number of bushels of oysters taken by him the from. The lessee shall be required to prove compliance with both of these provisions as to deposit shells or oysters on the ground so leased by him, and in default of such proof thereof the lease shall be nullified. (Acts 1924, p. 106; 1931, pp. 7, 14, Sections 45-802, 1933 Code.)

**3. OPTION TO LEASE GIVEN TO CERTAIN PERSONS.** Any person who shall have planted oysters in good faith on lands prior to August 8, 1919 shall have the first option or refusal to have said lands leased to him by the Game and Fish Commission who shall take the fact into consideration in fixing the lease fee to be charged. (Acts 1924, p. 107; 1931, pp. 7, 14, Sect. 45-803, 1933 Code.)

**4. STAKING OR USING OYSTER BEDS PROHIBITED, WHEN; REFUSAL TO REMOVE CONSTRUCTION.** It shall not be lawful for any person to stake in or use, for the purpose of propagation of oysters or shellfish, any natural oyster bed, shoal or bottom, or clamming or crabbing ground which has not been assigned to him according to law, nor shall any person who may have occupied and staked off such natural bed, rock, or shoal, clamming or crabbing ground, or bottom, which has not been assigned to him according to law, continue to occupy the same, and any person violating this provision shall be guilty of a misdemeanor. Said person shall be notified by the Game and Fish Commission to remove all stakes, watchhouses, or other ob-



structions from such natural beds, rock, or shoal; and if after the notice such person shall refuse to remove such stakes or other obstructions, the same shall be removed by the said Game and Fish Commission or patrolman, at the cost of the offender, who shall also be punished as for a misdemeanor. (Acts 1924, p. 107; 1931, pp. 7, 14, Sect. 45-804, 1933 Code.)

**5. REASONABLE TIME ALLOWED TO REMOVE OYSTERS, WHEN.** When from any re-survey of oyster planting-grounds or survey made to reestablish the lines of the State survey of natural oyster beds, rocks, or shoals, which may be made under the direction of the Game and Fish Commission, it shall appear that any holder, without his own default and by mistake of any officer of the State, has had assigned to him and included in the plat of his assignment any portion of the natural oyster beds, rocks, or shoals, as defined by law, and it shall appear that any such holder has oysters or shells planted on the said ground, before the stakes shall be removed from said grounds, or the same opened to the public, the said holder shall be allowed a reasonable time, the length of which shall be determined by the Game and Fish Commission in their discretion, within which to remove his planted oysters or shells from the said ground, under the supervision of the Commission. (Acts 1924, p. 107; 1931, pp. 7, 14, Sect. 45-805, 1933 Code.)

**6. PROHIBITED ASSIGNMENT OF GROUND BY PATROLMAN OR SURVEYOR.** Any patrolman or surveyor who shall knowingly assign to any person any ground within the public survey of the natural oyster beds, rocks, or shoals, or clam beds that have been set aside by the Game and Fish Commission, shall be fined not less than \$100 nor more than \$500, and any such assignment shall be void, and such official shall be discharged from the employ of the Department of Game and Fish. (Acts 1924, p. 108; 1931, pp. 7, 14, Sect. 45-806, 1933 Code.)

**7. INTERFERENCE WITH BOUNDARY STAKES, ETC.** Any person who shall wilfully interfere, remove, or displace any boundary oyster stakes, range monuments, signal beacon, boundary stone or

post, or buoy, or any appurtenance or enclosure there in erected, constructed or set by the Game and Fish Commission, or by their order, on the land or water of this State or upon the lawful beds of any lessee for the purpose of designating, locating, surveying, or mapping any shellfish grounds, shall be guilty of a misdemeanor. (Acts 1924, p. 108; 1931, pp. 7, 14 Sect. 45-807, 1933 Code.)

**8. HOW OWNERS OF PRIVATE OYSTER BEDS MAY COME UNDER PROVISIONS OF LAW.** Any person, firm or corporation owning private oyster beds in tidewater Georgia may come under the provisions of this law and have the same protection as is afforded the lessees of State-owned oyster grounds under the provisions of this law, by planting oysters upon such grounds and placing oysters or shells thereon in the manner prescribed for leased oyster lands under the provisions of this law (Acts 1924, p. 112, Sect. 45-808, 1933 Code.)

**9. PENALTY FOR TAKING OYSTERS OUT OF SEASON OR BETWEEN SATURDAY AND MONDAY.** Any person who shall prick, tong, dredge or in any other manner take or catch oysters from any of the waters of this State, except from private beds, from the first day of May to the 31st day of August, except for the purpose of replanting the same in the waters of this State, and any person who shall take oysters for any purpose during any season from one hour after sunset on Saturday until one hour before sunrise on the following Monday, shall be guilty of a misdemeanor. (Acts 1889, pp. 143, 144, Sect. 45-809, 1933 Code.)

**10. (1938; 616 P. C.) PENALTY FOR ROUGH TAKING OYSTERS FROM PUBLIC BEDS.** Any person who shall rough take and catch oysters from any of the public beds within the waters of this State, unless the same shall be culled over the beds from which they may be taken, except when the weather is such as to render it dangerous to remain at the beds, shall be guilty of a misdemeanor: Provided, that the terms of this section shall not apply to the taking of oysters for the purpose of replanting the same in any of the waters of this State. (Acts 1889, pp. 143, 144, Sect. 45-810, 1933 Code.)

**11. (1940; 618, 619 P. C.) PUNISHMENT FOR TAKING OYSTERS WITH SCOOP, ETC., WITHIN 1,000 FEET FROM SHORE; PRIVATE BEDS EXCEPTED.** Any person who shall take or catch any oysters in any of the waters of this State with or by a scoop, rake, drag, or dredge, or by the use of any other instrument than the oyster tongs heretofore in general use for taking oysters, except within the waters more than 1,000 feet from the shore line at ordinary mean low tide, shall be guilty of a misdemeanor. Oysters may be taken by any means or device from any private bed by the owner or lessee thereof, for the purpose of transplanting to other beds in this State from unleased territory within said limits. (Acts 1889, p. 144; 1905, p. 73, Sect. 45-811, 1933 Code.)

**12. SALE OF UNSTAMPED OYSTERS.** Any person or persons, firm or corporation who shall sell, ship, or receive for sale any canned oysters, raw shucked oysters or oysters to be sold in the shell, unless there is affixed to each package a stamp or stamps furnished by the Game and Fish Commission indicating that the occupation tax thereon has been paid, shall be guilty of a misdemeanor. (Acts 1924, p. 110; 1931, pp. 7, 14, Sect. 45-813, 1933 Code.)

**13. OCCUPATION STAMPS; SALE, ETC.** The Game and Fish Commission shall adopt an occupation stamp or stamps of such sizes and denomination as shall be deemed advisable by him, which shall have a serial number, and be of such design as the Commission shall select, suitable for the purpose of stamping the cans and packages in which oysters are canned or shipped as hereinbefore provided. The Commission shall provide for the sale of such stamps direct to the distributors, dealers, and canners, as will best meet their requirements. (Acts 1924, p. 109; 1931, pp. 7, 14, Sect. 45-814, 1933 Code.)

**14. STAMPED SEAFOOD NOT TAXABLE GAIN.** A can or package of seafood, stamped to comply with the provisions of the preceding section, shall not be subject to a further tax when passing through the hands of another distributor. (Acts 1924, p. 110, Sect. 45-815, 1933 Code.)

**15. COUNTERFEITING STAMP ISSUED BY COMMISSIONER OF GAME AND FISH; UTTERING SAME.** It shall be unlawful for any person or persons to counterfeit any stamp adopted by the Game and Fish Commission or to purchase any stamps similar thereto, or to aid or assist in uttering the same, or to use or attempt, to use a stamp more than one time. Any person, firm or corporation violating the provisions of this section shall be guilty of a felony and on conviction shall be punished by imprisonment and labor in the penitentiary for not less than four years nor more than 10 years. (Acts 1924, p. 110, Sect. 45-816, 1933 Code.)

**16. OYSTERS SOLD IN SHELL; HOW MEASURED; DIMENSIONS OF TUBS; BRANDS.** All oysters sold in the shell in tidewater Georgia shall be measured in circular tubs, with straight sides, straight and solid bottoms, with holes in the bottom not more than one-half inch in diameter. A bushel tub shall measure 18 inches from the inside across the bottom, and 21 inches from the bottom to the top or chine. All measures used for buying or selling oysters shall have a brand, to be adopted by the Game and Fish Commission, stamped thereon by the Commission or their lawful inspectors or patrolmen. All measures found in the possession of any person not meeting the requirements of this section shall be destroyed by the Game and Fish Commission. Any person or persons violating this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10 nor more than \$50 or imprisoned for not less than 10 days nor more than 30 days in the discretion of the court. (Acts 1924, p. 110; 1931, pp. 7, 14; Sect. 45-817, 1933 Code.)

**17. Section 1.** That pursuant to that Act the General Assembly of Georgia approved February 1943, authorizing the State Game and Fish Commission and the Director thereto to fix open and closed seasons and to regulate the manner and method of taking, transporting, storing and using, among other products, shell fish or crustaceans, there are hereby fixed certain minimum regulations which the Director shall fix in the manner prescribed by said Act, but the minimum regulation set forth herein shall not be held to

repeal said director of the power to promulgate further rules and regulations with reference to shell fish and crustaceans, provided that no rules or regulations promulgated by the State Game and Fish Commission or the Director thereof shall be held to modify, amend, change or affect the minimum regulations herein set forth. The minimum regulations which the Director shall promulgate by or before April 1, 1943, shall include the following: (Acts 1943, p. 543.)

17A. (a) The Director under the Game and Fish Commission in fixing the area which is or may be leased to any person by such Director, the Game and Fish Commission or any private owner to any other person, firm or corporation for the purpose of planting, growing, gathering, marketing, or selling of oysters, shell fish or crustaceans shall require that the applicant for any such lease furnish to the Department of Public Health charged with the responsibilities of maintaining the health of the citizens of this State, a plat or survey of the lands proposed to be leased, but no such lease contract shall be entered into or become effective until such Department shall issue its certificate, that the particular area in question is not contaminated in any way and that the waters on or adjacent to such area are not polluted and do not contain any matter which would make the taking of oysters, shell fish or crustaceans, in any way dangerous to the life or health of persons consuming oysters, crustaceans, or shell fish removed therefrom. Any oysters, shell fish or crustaceans removed from such area concerning which such certificate has not previously been issued, shall be subject to confiscation and immediate destruction by any authority of the State Game and Fish Commission as menacing the public health. Such certificate may be revoked upon subsequent findings by the Health Department. (Acts 1943, p. 543.)

17B. (b) The Department of Public Health shall promulgate such sanitary rules and regulations meeting minimum requirements of the United States Public Health Service and based upon recommendations made by the Committee on Sanitary Control of the Shell Fish Industry for interstate shipments, and for



the purpose of interstate shipment the Department of Public Health shall certify to all requirements of the U. S. Public Health Service as may be required under approval for interstate shipments. Such rules and regulations shall apply to oyster beds, or areas and to shucking houses, equipment, and sanitary handling, preparation and shipping. (Reference—United States Public Health Service Minimum Requirements for Approval of Shellfish Control Measures and Certification for Shippers in Interstate Commerce.) (Acts 1943, p. 543.)

**17C.** (c) No person, firm or corporation shall pick, tong, dredge or in any other manner take or catch oysters from any of the waters of this State from the first day of May to the thirty-first day of August, except for the purpose of replanting the same in the waters of this state, subject to the regulations prescribed by the State Game and Fish Commission. (Acts 1943, p. 543.)

**17D.** (d) Every person, firm or corporation owning or operating a factory for the canning of oysters, or a raw oyster shucking Plant in this State, shall each year distribute upon the areas designated by the State Game and Fish Commission or its authority a quantity of oyster shells not exceeding  $33\frac{1}{3}\%$  of the quantity required by such cannery or raw shucking plant during the preceding open season; which distribution or replanting shall be done under the direction or supervision of the State Game and Fish Commission or its authority within a radius of twenty miles from the factory or shucking plant distributing the same and before the first day of June. Any failure or refusal to comply with this regulation shall subject the cannery or shucking plant to revocation of its license by the State Game and Fish Commission. (Acts 1943, p. 543.)

**17E.** (e) No oysters shall be taken from the public grounds of this State where the shells of such oysters measure less than three inches from hinge to mouth, except that oysters less than three inches from hinge to mouth may be removed if attached to an oyster of that minimum size and such oyster so attached cannot be removed without destroying such three-inch oyster. And it shall be unlawful for any

person, firm or corporation engaged in shucking or canning oysters for market, to shuck, can, purchase, or have in possession any quantity of oysters containing more than 5% of oysters of prohibitive size as herein defined. (Acts 1943, p. 543.)

17F. (f) All managers or persons in charge of canning factories for the canning of oysters shall be required to keep a book in which shall be entered the name and address of each person from whom he shall purchase oysters, whether in the shell or shucked, together with the date of purchase and the quantity purchased; such book to be of the size and description prescribed by the State Game and Fish Commission. Such persons shall also retain duplicates of all bills of lading, memorandum or receipts or other indications of shipment made by them on file for comparisons with such books, and shall make a written report to the State Game and Fish Commission not later than the fourth day of each calendar month setting forth in form satisfactory to the Commission full statement of the operations of such canning factory or raw shucking plant as to quantity purchased, quantity sold and any other detailed information which may be required by the regulation of the State Game and Fish Commission. (Acts 1943, p. 543.)

17G. (g) All premises, sheds, utensils, measure, tools and implements used on premises of canneries or shucking plants must be kept in a sanitary condition, and to that end the State Department of Public Health charged with the responsibilities of maintaining the health of the citizens of the State, shall, from time to time, prescribe such rules and regulations to this end as may be advisable, and any person, firm or corporation who shall violate such regulations on more than one occasion shall be subject to loss of license or to revocation of license by the said commission. (Acts 1943, p. 543.)

17H. There is hereby imposed a tax on all oysters gathered from the waters of this State and shipped from any point within this State in the amount of five cents for each gallon of raw shucked oysters or the equivalent thereof of oysters in the shell 6¢ each 180 ounces on canned oysters, and such tax

shall be paid by the person shipping such oysters. All oysters within the limits of this State, whether shucked or in the shell, shall be deemed prima facie gathered from the waters of this State unless there be attached to or affixed upon the container of such oysters evidence satisfactory to the State Game and Fish Commission as prescribed by any regulation made by it going to show that such oysters were gathered in some State other than the State of Georgia. The evidence of payment of the tax imposed herein shall be the affixing of cancelled tax stamp in the proper amount to any container of such oysters, which stamps shall be of a design and material as prescribed by the State Game and Fish Commission, and the sale of which stamps shall be under the direction and control of such Commission. The proceeds from the sale of such tax stamps by said Commission shall be remitted by it or its duly authorized officer or agent to the State Treasurer on the 15th day of each calendar month. (Acts 1943, p. 543.)

**17I.** Any person who shall violate any of the terms or provisions of this Act or any regulations promulgated hereunder shall be guilty of a misdemeanor and shall be punished as provided by law for the punishment of misdemeanors. (Acts 1943, p. 543.)

**18.** That each and every person, firm or corporation handling or shipping oysters in the shell in addition to the requirement set forth in the Act hereby amended, shall when shipping oysters in the shell, ship them in clean containers in either barrels, bags, crates or baskets. To each such barrel, bag, crate or basket there shall be attached a tag obtained from the Coastal Fisheries Office, which tag shall be furnished free of cost, which tag shall indicate the source, date of gathering, name and address of consignee, kind of shell stock in container, name of shipper and State Public Health Certificate number. There shall be attached to the reverse side of the tag occupational oyster stamps in a sufficient number showing that the tax as required by Section 2 of the Act of 1943, which act is hereby amended, has been fully paid. (Acts 1943, p. 543; Acts 1945, p. 164.)

**18B.** That each and every person, firm or corporation handling or shipping oysters in the shell

in clean containers, in either barrels, bags, crates or baskets, or shall fail to attach thereto the tag containing the information called for in Section 1 of this Act shall be guilty of a misdemeanor and shall be punished as for a misdemeanor. (Acts 1943, p. 543; Acts 1945, p. 164.)

19. It shall be the duty of the Department of Health of the State of Georgia to inspect, or cause to be inspected, as often as said department may deem necessary, the various oyster beds and other places within the jurisdiction of or forming a part of the State of Georgia from which oysters are taken to be distributed or sold for use as food, for the purpose of ascertaining the sanitary conditions of such oyster beds and the fitness of the oyster in such places or which are taken therefrom for use as food. (Acts 1943, p. 583.)

19B. If the State Department of Health discovers that any oyster bed, or other place from which oysters are or may be taken is subject to pollution or to any other condition which may render the oysters in such places, or which may be taken therefrom, dangerous to health, it shall be the duty of said department to immediately condemn such areas, beds, or other place; and to prohibit the taking of oysters from such places, and also to prohibit the sale, distribution, offering for sale, giving away or having in possession such oysters without a permit from such department to take, sell, distribute, give away, or offer to sell or have in possession. (Acts 1943, p. 583.)

19C. For the purpose of this Act, the distribution, sale, offering for sale, giving away or having in possession with intent to distribute, sell or give away any oysters shall be prima facie evidence that such oysters were intended for use as food. (Acts 1943, p. 583.)

19D. The State Department of Health shall have the power to adopt, promulgate and enforce such rules and regulations as shall promote the purposes of this Act, and it shall also have power to make such specific orders regarding the growing and handling of oysters and the disposal of polluting matter which may affect the purity of oysters as it may deem neces-

sary to enforce the provisions of this Act. (Acts 1943, p. 583.)

**19E.** The members and employees of the State Department of Health shall have free access at all times to all oyster beds, places of business and other places where oysters are grown, kept, stored, had in possession with intent to distribute, or sell, or give away, or sold, and also to all streams, tributaries thereof and lands adjacent thereto, the waters draining from which may come in contact with oysters and shall have the power to make such inspection of such places and to take such samples of oysters as they may deem necessary to carry out the purpose of this Act. (Acts 1943, p. 583.)

**19F.** No person shall obstruct or in anywise interfere with any inspector or employee of the State Department of Health in the performance of any duty under this Act. (Acts 1943, p. 583.)

**19G.** Any person or persons convicted of a violation of the provisions of this Act shall be punished as for a misdemeanor. (Acts 1943, p. 583.)

**20.** Each and every commercial fisherman shall each year prior to engaging in commercial oyster gathering, obtain an oyster collector's permit from the office of the Supervisor of Coastal Fisheries of the State Game and Fish Commission. The permit shall be in the form of a chart to which is attached or affixed the date, the name of the individual, the company for which the individual is working, and the number of the State Health Certificate. The chart shall show the areas from which oysters cannot be taken because of pollution as determined by the State Department of Public Health. A master chart showing the pollution zone shall be kept on file at the office of the Supervisor of Coastal Fisheries. The chart shall also show the areas from which the applicant may obtain oysters by virtue of demonstrated authority:

1. Lease of State owned lands.
2. Ownership of lands or authorized agent for owner.
3. Lease of lands from land owners.
4. Permit from Coastal Fisheries Office to remove



oysters from natural oyster beds on unleased State lands.

A duplicate oyster collector's permit, with chart, shall be filed with the Coastal Fisheries Office of the State Game and Fish Commission. (Acts 1945, p. 198.)

20B. The permits provided for in Section 1 shall be furnished by the office of the Coastal Fisheries free of charge. The Coastal Fisheries Office shall furnish sufficient charts covering the areas of operations to cover needs. These charts shall be recent U. S. Coast and Geodetic Survey charts or accurate facsimiles of same. (Acts 1945, p. 198.)

20C. Every person while engaged in commercial oyster collection from oyster beds shall carry with him the permit issued under the terms of this Act, and it shall be unlawful for any person to engage in oyster collection for commercial purposes, without first having with him the permit to do so. It shall also be unlawful for any person to collect, or engage in collecting, oysters from any polluted areas or sources, or from any areas or sources other than shown as authorized for use by the permit granted to him. The violation, by any person, of the terms of this act shall be punished as for a misdemeanor. (Acts 1945, p. 198.)

20D. Nothing in this Act shall prohibit an individual from taking not to exceed two bushels per day for his own use when authorized to do so by written permission of the land owner, which written permission shall be in the possession of the person so taking same. (Acts 1945, p. 198.)

# CHAPTER VII

## REGULATIONS

### A.—Power and Duties

(See Chapter I)

#### Rangers—

I. Regulation. The following rules and regulation be and the same are hereby adopted and promulgated by a majority vote of the State Game and Fish Commission in regular meeting on this the 1st day of April, 1950.

1. That the Director is hereby authorized and directed acting for and on behalf of the State Game and Fish Commission to appoint in writing each Wild Life Ranger of the State Game and Fish Commission as a State Game Protector, and is further directed to maintain a written record of each such appointment showing the date appointed and the date the Ranger and Protector may leave his employment. That after such appointment each Wild Life Ranger shall be known as Wild Life Rangers and State Game Protectors and invested with the full power and authority of State Game Protectors.

It is further ordered that this rule and regulation shall become effective as of April 1, 1950 and that.

2. Wildlife Rangers of the State of Georgia shall be bonded in the sum of \$1,000 after February 2, 1950. The fee for said bond shall be paid by the Commission.

### B.—Hunting and Trapping

(See Chapter IV)

1. The effective date of these rules and regulations is to be August 1, 1952, or thirty (30) days after the posting of same, as required by the aforesaid law, whichever is the first effective date and continuing in force until changed by law or proclamation.

All opening dates begin with sunrise on the opening date and all closing dates end with sundown on the closing date.

The opening date on BOBWHITE QUAIL is to be November 20, 1952, and the closing date February 25, 1953, bag limit, 12 daily and 30 weekly.

The opening date on WILD TURKEY is to be November 15, 1952, closing date February 15, 1953. Bag limit two (2) daily, two (2) weekly, and (2) for season. These opening and closing dates and bag limits apply to all counties in the State except those north of Chattahoochee, Marion, Schley, Macon, Peach, Houston, Twiggs, Wilkinson, Washington, Jefferson, and Burke, in all of which counties the season on Wild Turkey is to be closed entirely, and the following counties in which the opening date is to be October 20, 1952, closing date January 5, 1953, Screven, Jenkins, Candler, Bulloch, Effingham, Chatham, Bryan, Evans, Tattnall, Toombs, Wheeler, Montgomery, Jeff Davis, Appling, Liberty, Long, Coffee, Bacon, Wayne, McIntosh, Glynn, Pierce, Atkinson, Lanier, Lowndes, Clinch, Echols, Ware, Brantley, Camden, and Charlton.

The opening date on OPOSSUM is to be October 1, 1952, closing date February 15, 1953. No bag limit.

The opening date on RACCOON is to be October 1, 1952, closing date February 15, 1953. No bag limit.

There is to be no closed season and no bag limit on FOX.

There is to be no closed season and no bag limit on RABBITS.

The opening season on RUFFED GROUSE is to be November 20, 1952, closing date February 25, 1953. Bag limit three (3) daily, three (3) weekly.

There is no open season on ALLIGATORS except that the season is to be open the year around in the following counties: Effingham, Bryan, McIntosh, Liberty, Chatham, Glynn and Camden.

There is no open season on Sea Turtles and eggs.

The opening date on SQUIRREL is to be November 1, 1952, closing date January 5, 1953, on all counties in the State with the exception of Dawson, Fannin, Gilmer, Habersham, Lumpkin, Murray, Pickens, Rabun, Stephens, Towns, Union, and White, in

which counties the opening date is to be September 15, 1952, closing date December 5, 1952, and those counties north of Carroll, Douglas, Fulton, DeKalb, Rockdale, Walton, Oconee, Clarke, Oglethorpe, Wilkes, and Lincoln, in which counties the opening date is to be October 1, 1952, closing date December 5, 1952, and the following counties in which the opening date is to be October 20, 1952, closing date January 5, 1953, Screven, Jenkins, Candler, Bulloch, Effingham, Chatham Bryan, Evans, Tattnall, Toombs, Wheeler, Montgomery, Jeff Davis, Appling, Liberty, Long, Coffee, Bacon, Wayne, McIntosh, Glynn, Pierce, Atkinson, Lanier, Lowndes, Clinch, Echols, Ware, Brantley, Camden, and Charlton. Bag limit ten (10) daily, ten (10) weekly, in all counties in the State.

The opening date on BEAR in all counties in the State except Catoosa, Dade, Dawson, Fannin, Floyd, Gilmer, Gordon, Habersham, Lumpkin, Murray, Pickens, Rabun, Stephens, Towns, Union, Walker, White, Whitfield, and Chattooga, which counties have no open season on Bear, is to be November 20, 1952, closing date February 15, 1953. No bag limit.

The opening date on DEER (Bucks only) in the following counties: Gilmer, Murray, Fannin, Pickens, Dawson, Lumpkin, Union, Towns, White, Rabun, and Habersham is to be November 10, 1952, closing date November 25, 1952. Bag limit one (1). The hunting of Deer in these counties with dogs is prohibited. The opening season on Deer is to be October 20, 1952, closing date January 5, 1953, in the following counties, Screven, Jenkins, Effingham, Chatham, Bryan, Evans, Tattnall, Toombs, Wheeler, Montgomery, Jeff Davis, Appling, Liberty, Long, Coffee, Bacon, Wayne, McIntosh, Glynn, Pierce, Atkinson, Lanier, Lowndes, Clinch, Echols, Ware, Brantley, Camden, Charlton, and that portion of Bulloch County East of U. S. Highway No. 25 from Bulloch County Line on the North to Statesboro thence, State Highway No. 67 to County Line on South. Bag limit two (2) with the exception of that portion of Bulloch County in which the bag limit is one (1). The opening season on Deer in the following counties is to be November 1, 1952, closing date January 5, 1953, Seminole, Decatur, Miller, Early

Baker, Mitchell, Grady, Thomas, Brooks, Colquitt, Cook, Berrien, Tift, Worth, Dougherty, Calhoun, Clay, Quitman, Randolph, Terrell, Lee, Turner, Irwin, Ben Hill, Telfair, Wilcox, Crisp, Stewart, Webster, Sumter, Dooly, Pulaski, Dodge and Bleckley. All other counties of the State are closed to deer hunting for the entire season. Guns for hunting Deer are limited to shotguns loaded with No. 1 buckshot, or larger or to rifles using any center fire cartridges .25 calibre or above with the following exceptions: .25-.20, .32-.20, or .30 army carbine.

It shall be illegal, and a violation of this regulation for any person to run, chase, or pursue deer with dogs for the purpose of taking the same in any or either of the following North Georgia mountain counties, Gilmer, Murray, Fannin, Pickens, Dawson, Lumpkin, Union, Towns, White, Rabun, Stephens, and Habersham.

Regulations on MIGRATORY GAME such as DOVE, DUCKS, GEESE, BRANT, RAIL, and COOT are the same as the Federal Regulations which will be published as soon as established. Shotguns must be plugged to limit them to a capacity of three (3) shells on both Native and Migratory Game.

2. The opening date of the trapping season on FOX, OPOSSUM, MINK, MUSKRAT, RACCOON, SKUNK, WILDCAT, is to be November 20, 1952, and closing date is to be February 15, 1953. No bag limit.

The season for trapping BEAVER and OTTER is to be January 1, 1953 through January 31, 1953 in all counties south of Carroll, Fulton, DeKalb, Walton, Oconee, Oglethorpe, Wilkes, and Lincoln. No bag limit. All counties north of and including Carroll, Fulton, DeKalb, Walton, Oconee, Oglethorpe, Wilkes, and Lincoln are closed to the trapping of otter and beaver.

These regulations do not apply to the Game Management Area in the Chattahoochee National Forest. Separate Rules and Regulations are promulgated jointly by the Federal and State Authorities governing the taking of Game and Fish on these areas and will be published when established.



All regulations previously passed that conflict with this regulation are hereby repealed.

## C.—Fishing

(See Chapter V)

1. It is hereby unlawful to take fish from any of the fresh waters of Georgia, by gigging, striking, snaring, snatching or by other similar methods with hooks, wires, spears, forks, sharp pointed instruments or other similar devices.

This regulation is to be read with Section 45-505, Georgia Code 1933, as amended, and shall become effective thirty (30) days after posting as required by law. This regulation shall remain in force until changed by law or by proclamation of the Game and Fish Commission.

Violators of this regulation shall be punished as for a misdemeanor.

All laws and regulations in conflict with this regulation are hereby repealed. (See Chapter V A-2.)

2. Effective April 1, 1952, and continuing in force until changed by law or proclamation, all of the fresh water streams, lakes, and ponds of Georgia will be open to legal fishing throughout the year with the following exception.

Exception: The trout streams of the following 12 mountain counties—Dawson, Fannin, Gilmer, Habersham, Lumpkin, Murray, Pickens, Rabun, Stephens, Towns, Union and White. Fishing in these waters is prohibited from November 15 through March 31, inclusive, each year.

There is no closed season on taking shad fish with rod and reel, fly rod, or pole and line. The daily limit shall be five fish per person. Shad fish taken by the above methods cannot be sold. This covers all species of shad fish including what is commonly known as white shad and hickory shad.

The restrictions and limitations upon the taking of fish in this State shall be as follows:

Rock fish or striped bass.....	10 in one day
Large-mouth Black Bass.....	10 in one day
Small-mouth Black Bass.....	10 in one day
Rock Bass .....	10 in one day

Kentucky or Red-eye Bass	10	in one day
Bream	25	in one day
Perch	25	in one day
Crappie	15	in one day
Eastern Pickerel or Jack	15	in one day
Wall-eyed Pike	3	in one day
Muskelunge	2	in one day
Brook Trout	10	in one day
Rainbow Trout	10	in one day
Brown Trout	10	in one day
Red Breast Perch	25	in one day
Shad	5	in one day

Provided however, that "it shall be unlawful for any person to possess at any one time more than 30 fish in the aggregate of all species named;" and provided that "no more than 10 Bass of any and all species in the aggregate can be taken in any one day," provided that no more than 10 trout of any or all species in the aggregate can be taken in one day.

3. New regulation: Effective January 1, 1952, or 30 days after the posting of this regulation, according to the law aforesaid, whichever is the first effective date and continuing in force until changed by law or proclamation the season for taking shad fish in the St. Mary's River shall be from December 15, to April 15, of each year and nets shall be 3½ inch or 4½ inch mesh size when stretched. Nets shall be set so as to allow ⅓ of the stream width free for passage of fish. Nets shall not be set within 150 feet of a net previously set. These regulations shall apply in the St. Mary's River and in all other streams except that the season in all other streams shall be from January 1, to April 1, of each year, instead of December 15, to April 15.

During each week of such open season there shall be a closed time during which no shad fish shall be taken from the waters of this State with nets, and no shad nets shall remain in, or be placed in such waters, beginning at sundown Saturday of each week, and extending until sunrise on Tuesday following.

There is no closed season on taking shad fish with rod and reel, fly rod, or pole and line. The daily limit shall be five fish per person. Shad fish taken by the above methods cannot be sold.

**DEFINITION:** The above regulations cover all species of shad fish including what is commonly known as white shad and hickory shad.

The above regulations shall remain in effect until changed by law or proclamation. (See Chapter V-B.)

#### **D.—Seafood**

(See Chapter VI.)

1. It is hereby unlawful for any person to use more than one net ten feet in diameter at the widest part of its mouth on any boat while taking shrimp in the sounds, rivers, or within the three mile limit of Georgia between January 1st and March 15th, inclusive.

In accordance with the above limitation, it is unlawful for any person taking shrimp by the method herein set out to take into any boat a number of shrimp exceeding the facilities provided in each boat for keeping said shrimp alive for bait purposes.

This regulation shall be read with Section 1, Act No. 609, (Ga. Laws 1952, p. 77) approved February 12, 1952, and shall become effective thirty (30) days after posting as required by law. This regulation shall remain in force until changed by law or by proclamation of the Game and Fish Commission.

Violators of this regulation shall be punished as for a misdemeanor.

All laws and regulations in conflict with this act are hereby repealed. (See Chapter VI A-2.)

2. Regulation governing the taking of pompano fish from the outside salt waters of this State:

No seine or gill net may be used less than  $2\frac{1}{3}$ ' from knot to knot or  $1\frac{1}{4}$ " bars measured from knot to knot after being tarred and shrunk in catching or taking pompano fish from the outside waters of this State.

No person may take from the outside waters of this State or have in his possession any pompano fish of less than 9" in length measured from the tip of his nose to the fork of his tail.

Outside salt waters are defined as those waters from the outermost part of the coast line to the limit of the three-mile jurisdiction, and embrace that part

of the Atlantic Ocean under the jurisdiction of this State. Inland salt waters not included in outside salt waters include all sounds, estuaries, salt-water rivers and creeks.

3. Effective June 7, 1951, or thirty (30) days after the posting of this regulation, according to the law aforesaid, whichever is the first effective date and continuing in force until changed by law or proclamation, the use of power drawn nets of any kind, used in taking salt water game fish and shrimp from the inland salt waters of the State of Georgia, including all sounds, estuaries, salt-water rivers and creeks is hereby prohibited, except that power drawn nets may be used for trawling for shrimp in those parts of Doboy Sound and Sapelo Sound which lie in McIntosh County, and that part of Saint Andrews Sound which lies in Camden County, however, trawling for shrimp in all estuaries, salt-water rivers and creeks flowing in or out of said sounds, or portions thereof, above excepted is prohibited, and shall be a violation of all laws now of force and effect. Outside salt waters are defined as those waters from the outer-most part of coast line to the limit of the three-mile jurisdiction, and embrace that part of the Atlantic Ocean under the jurisdiction of the State. With the sole exception of the portions of the three (3) sounds above excepted, inland waters not included in outside salt waters include all sounds, estuaries, salt-water rivers and creeks.

This regulation does not include "shad fish" or in any manner effect previous regulations governing the taking of "shad fish" from the fresh or salt waters of this state.

All regulations previously passed that conflict with this regulation are repealed effective at the time that this regulation becomes effective. (June 7, 1951.)







# INDEX

## —A—

Page

Accounts and Auditing .....	8, 9
Agents	
Common Carrier .....	41, 47
License, issuing of .....	23
Administrative Rules .....	6
Airplane .....	7, 8
Alien fishermen .....	31, 32, 33
Allocation of funds .....	4, 5
Animals	
Bag limit .....	5, 6, 78
Drugs, killing with .....	36
Enumeration of .....	44, 50
Explosives .....	36
Sale prohibited .....	45
Skins .....	24
Transportation prohibited .....	46, 47
Appointments	
Commissioners .....	1, 2
Vacancies, how filled .....	3
Artificial bait .....	26
Assistants .....	4
Atlantic States Compact .....	15
Director or one Georgia member .....	20

## —B—

Bag limits .....	5, 6, 78
Bait .....	26
Baited lands .....	42
Baskets .....	53
Battery .....	53
Boats	
Commercial License .....	29, 30
Non Resident .....	30
Resident .....	30
Record Books .....	31
Report by Captain .....	61
Tags .....	30
Bond	
Director .....	4

	Page
Protectors .....	9
Rangers .....	78
Supervisor Coastal Fisheries .....	4
Broad River .....	52

—C—

Cannery .....	73
Chairman of Commission .....	3
Closed Seasons .....	5, 6, 78
Coastal Fisheries	
Supervisor .....	4
Commercial Fishing .....	58
License .....	28-33
Boat .....	30
Persons .....	31, 33
Commission	
Compensation .....	3
Constitutional Provisions .....	1
Meeting place .....	3
Powers and duties .....	3, 5, 6
Repeal of laws .....	6
Vacancy .....	3
Criminal Process, Service of .....	8
Crabs, tax on .....	60

—D—

Dams	
Building passageway over .....	11
Cost of passageway .....	11
Passage for fish over .....	10
Department of Public Health .....	71
Canneries .....	73
Certificate .....	71
Inspection of Oyster Beds .....	75
Rules and regulations .....	75
Director	
Appointment, powers and duties .....	3
License issued by .....	23
Marine Fishery Member .....	20
Dogs .....	51, 81

Duties	
Coastal Fishery .....	4
Protectors .....	4, 9
Rangers .....	4
Dynamite .....	52, 53

## —E—

Employees .....	4
Explosives .....	52, 53
Federal Acts .....	11, 12, 13
Fines, Disposition of .....	9
Fish	
Baskets .....	53
Explosives .....	52, 53
Firearms, killing with .....	53
Fishladder .....	11
Fishing on Island Preserve .....	55
Fishing Salt Water .....	33
Fishing land of others .....	54
Method of taking .....	26, 52, 82
Obstructing passageway .....	54
Poisoning .....	52, 54
Private Pond .....	53
Sale during spawning .....	52
Fur-bearing Animals .....	50

## —G—

Gill nets .....	52
Governor, Appointments by .....	1, 2, 3
Game birds, animals .....	38, 44
Consuming .....	41, 48
License to propagate .....	39, 45
Pets .....	38, 45
Pheasants, raise, sell .....	39
Possession of .....	38, 45
Purchase, sale .....	38, 45
Storage of game killed .....	43, 49

## —H—

Hatcheries .....	3
Honoring license .....	26
Hunting .....	36

	Pag
Island game preserve .....	3
Lands of another .....	3
Night, traps, poisons .....	36, 3

—I—

Information to Governor .....	
Inspection of oyster beds .....	75-76
Interstate Agreements	
Fishing .....	14
Hunting on own lands .....	14
Lake Chatuge .....	13

—L—

License	
Commercial License	
Boats, Footage .....	29-30
Individuals .....	31
Alien .....	32
False Swearing .....	31
Peddlers .....	28
Seafood .....	33
Shad .....	29
Contents, hunting license .....	23
Failure to carry .....	23
Issued by Director .....	23
Quail .....	25
Scientific Permits .....	24
Sport License	
Hunting and Fishing	
Resident .....	25, 26
Non-Resident	
Fishing .....	27, 28
Hunting .....	27
Temporary .....	27
Trappers .....	24
Quail .....	25

—M—

Management projects .....	3, 12
Members of Commission .....	1, 2
Minute book .....	9
Muskrats .....	51

—N—

Page

Non-Game	
Animals .....	50, 51
Birds, destruction of .....	44
Non-Resident	
License .....	27, 28
Shrimp, catching of .....	32

—O—

Office at Capitol .....	4
Open Seasons .....	5, 6, 78
Owner of property,	
hunting and fishing .....	7, 14, 26, 52
Oysters	
Assignment of bed .....	67
Boundary Stakes .....	67
Cannery, Records .....	73
Closed Season .....	72
Condemnation .....	75
Container, clean .....	74
Counterfeiting Stamp .....	70
Dealers record .....	63
Lease of bed .....	64
Occupation tax .....	60
Option lease .....	66
Private bed owner .....	68
Public grounds .....	72
Record of survey .....	65
Removing oysters .....	67
Rough taking .....	68
Sale of, unstamped .....	69
Sanitary condition .....	73
Scooping .....	69
Shell .....	70
Staking bed .....	66
Stamp .....	61, 69
Taking out of season .....	68
Tax .....	71

—P—

Peddlers license .....	28
Pets, plumage .....	24



	Pag	St
Pheasants, raise, grow .....	3	
Posting land .....	3	
Prawn .....	58,	6
Private ponds .....	7, 26, 52,	5
Propagation .....	2	T
Protectors		
Duties .....		T
Report of deer killed .....	48	
Service of criminal process .....		
Public Inspection of books .....		

—Q—

Quail .....	2	
-------------	---	--

—R—

Records of Commission .....		
Registration of lands .....	3	
Relationship affecting appointment .....		
Rules and Regulations .....	5,	78 U
Penalty for violating .....		

—S—

Savannah River .....	5	V
Seal of Commission .....		
Seiners .....	26,	52
Seizure		
Game .....		8
Traps .....		38
Shad .....	56,	8
Shell fish .....		70
Sheriff, execute writs .....		56
Shrimp, Prawn, Crab .....		58
Heading .....		58
Dealers record .....		68
Opening Sounds .....		58
Periods for taking .....		58
Requirements to trawl .....		62
Transporting beyond State .....		59
Weekly reports on take .....		60
Spawning female crab .....		60
Stamp tax on oysters .....		60

Storage of Game.....	43
After close of season .....	43
Stamping game .....	43

## —T—

Terrapins .....	56
Tidal streams .....	54
Transportation of game.....	39
Agents of Common Carrier.....	41
Common Carrier .....	40
Offer to transport game.....	40
Scientific use .....	24
Trappers .....	
Confiscation of traps.....	38
Fur-bearing animals .....	50
License .....	24
Unlawful trapping .....	37, 38

## —U—

Uniform Division .....	4
Appropriations for Uniforms.....	7

## —W—

Wild Life Rangers.....	4
------------------------	---



# RULES AND REGULATIONS

ligator .....	79
ar .....	80
aver, trapping .....	81
and .....	81
oat .....	81
ear .....	80
Hunting with dogs .....	81
ove .....	81
ucks .....	81
sh .....	
Limits, Daily, Weekly .....	83
Methods of taking .....	82
Trout Streams .....	82
ox .....	79, 81
rouse .....	79
anagement Area .....	81
migratory Game .....	81
ink .....	81
uskrats .....	81
possum .....	79, 81
tter .....	81
outside Waters .....	84, 85
ompano Fish .....	84
uail .....	79
abbits .....	79
accoon .....	79, 81
angers .....	78
Designated Protectors .....	78
Bond .....	78
Seafood .....	
Nets, Shrimping with .....	81
Snad .....	83
Skunk .....	81
Squirrel .....	79
Wildcat .....	81









UNIVERSITY OF GEORGIA LIBRARIES



3 2108 04865 4597

